App. F. IX-4

Previous References

1935-.
(Legis)

File No. 46-35
Serial Nos. 1 and 17

Letter References.

C.T. (illegible) 1, 3-
R. T. 10-37-30
R.R.T. 7-38-(44+45.)
T.B 10-41-21

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for (illegible)

SUBJECT.

Rules regarding public Service Motor Vehicles.

WD 03607—GPB—22,500—2-8-35

Notification No. P. 3992 dt 18th Dec 1935

Issues rules re ———

Guillemard

Road Traffic and Taxes Regulation
Insurance against third party risks.

General and Revenue Secretariat.

File No. of 193

MDD. P. 111-2

Insurance of motor vehicles against third party risks.

---

1. The Coimbatore Committee recommended strongly that, in the case of public service motor vehicles, it was essential that there should be compulsory insurance against third party risks. The question was considered by the Government and in their orders on the report of the Committee, it was decided that 'Compulsory insurance' need not be insisted on at present.

2. The question was further considered at the time the Road Traffic and Taxes Regulation was drafted. No provision in the matter was made in the Regulation as it was thought that the Motor Vehicles Regulation gave the necessary power as far as public service vehicles were concerned. The intention was that it was only in the case of public service motor vehicles that insurance against third party risks was to be insisted upon.

3. The question for consideration now is whether in the revised rules for public service motor vehicles which are being framed, provision is to be made for compulsory insurance against third party risks. It seems very desirable to do so. The opinion both in the Assembly and the Council seemed to favour this. Besides, this system is in force in some British Indian provinces particularly Bombay.

4. The question was recently considered by the Transport Advisory Council of the Government of India consisting of representatives from all

NOTE—Contn. Sheet.

provinces. It was resolved in this that motor buses should be insured against third party risks, the Punjab, Central Provinces and Assam dissenting. The Government of India have, on this, again addressed all the local Governments and have suggested that for reasons pointed out by them this provision re. insurance may be ratified by all Governments. Copies of these are submitted. ~~It may therefore be assumed that insurance against third party risks will come into force in most, if not all, of the British Indian Provinces.~~

4. From the information given by the Bombay Government, which forms the enclosure to the letter of the Government of India to the local Governments, it will be seen that the rates of premia charged in Bombay City for buses insured up to Rs.15,000/- vary from Rs.90 to 100/- per annum and for passengers risks limited to Rs.1,500 for any one passenger and Rs.6,000 for any one accident, the rate is Rs.60 per annum. Outside Bombay the rates vary from Rs.90 for a risk limited to ~~Rs.15,000 to Rs.115 for unlimited risk while for passengers' risks (limited to Rs.1500 for any one passenger and 6,000/- for any one accident) the rate is Rs.3 per seat per annum.~~ The rates therefore are very fair and less than the rates on which the Todhunter Committee based their calculations.

5. There are no companies in Mysore Province doing this business at present. If

If, however, insurance is made compulsory, there is no doubt that companies doing this business will come into existence and companies from outside will establish branches.

b) It is also for consideration if the Public Service Branch of the State Life Insurance may not take up this work.

7) Orders are therefore solicited if in the rules provision may be made for compulsory insurance of public service motor vehicles against third party risks.

First Member) VAR 16/9/

8) Draft rules may be prepared by ~~Director of Motor Transport~~ ~~(They may be in force in~~ with power to exempt) certain specified areas & be notified by 17/9 VAR 17/9/

44

(9) Draft rules are submitted for approval. These will be under the rules for the licensing of the public service motor vehicles which are to be shortly published.

First Member) VAR 4/10/

4/10 Draft rules have been issued

NOTE—Contn. Sheet.

141/p/33 Draft Rules
Road Traffic Taxes, Rep

General and Revenue Secretariat | File No. | of 193 | [App. F. III—2

Serial No.

SYSTEM OF REGULATION & CONTROL OF PUBLIC SERVICE MOTOR VEHICLES.

---

(10) 1. The most important duty with which the Traffic Board is charged relates to the regulation and control of Public Service Motor Vehicles. The functions of the Board in this respect and its relation to the audhorities exercising powers in this matter have therefore to be defined.

(11) 2. The main object in the establishment of a Traffic Board was to set up a coordinating central body, which will ensure the application of a uniform system of regulation, control &c., throughout the State.

Report of the Todhunter Committee,

12) In their orders on the Government have observed that "no central authority can function effectively without the local knowledge and advice of District Officers and that under any system a great deal of power and responsibility will have to remain with the District Officers". The future system should therefore be such as would enable the Board to exercise effectively its function to secure an adequate and co-ordinate system of Public Service Motor Transport in the State allowing in these matters a good deal of power and responsibility to the District Officers.

13. The salient features of the new system may therefore be as follows:-

(i) The District Officers will as at present be responsible to exercise the necessary control over Public Service Vehicles and for the enforcement of rules etc. All the powers they have at present will continue;

Here will have to be defined by

NOTE—Contn. Sheet.

W&I 01965—GP13—22,500—12-6-34

(ii) The Board will, as a provincial authority and a co-ordinating body, lay down conditions etc., generally applicable throughout the State such as the following among others;- | The Board will be a supervising body.

(i) The number of motor bus services for which licenses may be issued on each road;

(ii) The necessary qualifications etc., of the License Holders.

~~(iii) Conditions of license.~~

~~(iv) The system of selection of license holders;~~

~~(v) Fares to be charged;~~

~~(vi) Standard and type of vehicles to be used;~~

~~(vii) The form of licenses tokens etc., issued;~~

~~(viii) Classing of roads into A & B for purposes of different rates of service-tax.~~

For the above purpose;

14) ~~(3)~~ The Roads in the State may be classified into the following 3 classes:-

1st Class Roads i.e. through roads connecting important places between 2 or more districts in the State, ~~between places in the State and those in the adjoining~~ provinces.

Class II. Important ~~plain~~ main roads in a district other than these ~~for running~~ forming part of 1st class roads.

~~(N. B.:- A service which has to traverse a comparatively small portion of 1st class roads but the major portion of service lies in class II roads will be classed as class II roads for purposes of license).~~ whose

Class III. Other local roads in the District including those on which no motor traffic exists at present.

(4) In the case of Class I Roads, the licensees will be selected by the Board. Their timings also will be fixed by the Board.

(5) In the case of other roads, the licensees will be selected by the Deputy Commissioners of the Dists subject to the number ~~presented~~ prescribed by the Board for each road and ~~accessors~~ according to the method of selection prescribed by the Board. Timings will ~~frequently~~ be regulated by the Deputy Commissioners subject to proper connections with services on class I road.

(5) (~~5~~) Licenses.

G. & H. permits will as at present be issued in all cases by Deputy Commissioners of Districts only.

(7) In the case of services on class I road, G & H permits will be issued by any one District, preferably the District in which the head-quarters of the business of the license-holder is situated. The Deputy Commissioner of the District will collect all service tax and mileage cess due for the total journeys and advice the other Deputy Commissioners concerned.

(6) This will obviate the inconvenience now complained of viz., the bus service operators being put to the trouble of having to obtain permits separately in each District.

In regard to H. permits for motor cars the license issued by one District will be current throughout the State.

NOTE—Contn. Sheet.

(20) Discs or plates indicative of the license having been issued and of taxes having been paid have to be prescribed by the Board.

(21) ~~(6)~~ System of selection.

The general principles of selection of license holders may be fixed by the Board, subject to the following:-

(a) In any system of selection preference should be given to existing license-holders provided their work has been satisfactory.

(b) Sanction of the Government should be obtained in all those cases in which the Board think that monopoly either by auction or tender is to be given.

(c) Sanction of the Government should be obtained if the provision of any service in unremunerative areas involves payment of subsidy or reduction in the rates or taxes. Generally these services - should be entrusted to ~~increase~~ licensees of services of - important roads to which these act as feeders.

(22) ~~(7)~~ Permits for Lorries:-

~~According to the Regulation; private lorries have to obtain permits prescribing the area in which they have to work.~~ The rules to be framed in this connection will indicate the considerations which have to be taken to account in prescribing the area and other conditions. The Deputy Commissioners of districts may, subject to such supplementary instructions as may be issued by the Board,

grant permits for lorries, though the area may include a portion of another District. If the area includes more than two districts, the application may be disposed of by the Board, though permits will be issued by the Deputy Commissioners in accordance with such instructions.

23) (8) Temporary licenses & permits for special trips

For purely casual trips such as contract carriages for single journey, licenses may be issued by Deputy Commissioners ~~concern~~ in other districts also.

24) For special trips on occasions of festivals etc, the Deputy Commissioners may issue licenses if the trips are confined to places within the District and do not ~~compete~~ compete with other means of transport. In cases of class I Road, the Board may fix the number of special permits for other than casual or contract trips and special occasions of very short duration. General Rules such as that requiring preference to be given to existing franchise holders will be ~~prescribed~~ fixed by the Board.

Appeals:-

25) Appeals will, in the first instance, lie to the Traffic Board from decisions of Deputy Commissioners. These may be disposed of by a small Committee of the Traffic Board to be appointed by the Chairman.

26) If approved, rules on the above lines will be drafted

NOTE—Contn. Sheet.

1417

File No. of 193

General and Revenue Secretariat

Submitted

First Member) H.P.
3/9/

2nd) Rear Hemphrey
4/9

by

3rd) JR

Draft rules regarding the licensing of the public service motor vehicles are submitted. The duties and powers of the Board as well as those of the District Authorities in this matter are also dealt with. These Rules are supplementary to the existing rules re public service vehicles issued under Sect. 11 of the Motor Vehicles Regulation. The rules now submitted are under Sect. 5 of the Road Traffic and Taxes Regulation.

4th) Rules re licensing of public service lorries will be issued under the rules relating to the issue of permits for lorries.

5th) These rules require previous publication. If approved, the rules will be got published in

OFFICE OF THE FIRST MEMBER OF COUNCIL
3 SEPT. 1935
1211

OFFICE OF THE FIRST MEMBER OF COUNCIL
2 OCT. 1935
No. 2538

1417 - 35

Rules Re. public service motor vehicl

Serial No.

Mysore Gazette of the 10th inst. with the notice that these will be taken to consideration after the 5th of Nov.

First Member) Sd/-
2/10/

31) Please come with me
by
3/10

(32) Rules completely revised are submitted herewith. The present rules are consolidated ones and are in lieu of the existing rules for the licensing of the public service motor vehicles. Supplemented by new ones necessitated by the Road Traffic and Taxes Regulation

(33) The functions of the Traffic Board and of the District Magistrates are defined in accordance with the distribution of functions already approved Broadly the Board is given the powers of regulation, supervision and control, while most of the

WD 03594—GPB—30,000—13-7-35

powers now exercised by the Dist Magistrates contin.

34) According to these rules the Dist Magistrate is the authority empowered to issue permits. The routes in each District are to be classed as Through & Local routes. Permit holders for the former are to be selected by the Board while the latter are to be selected by the Dist. Magistrate. The existing powers of control for Dist. Magistrates continue.

35) New provisions defining more clearly and specifically what shall constitute drivers of motor buses & other vehicles, and ~~determine~~ the rules regulating the conduct of passengers are embodied. These generally follow the rules issued by the Ministry of Transport in England and the purport of them is vested in it by the Road Traffic and other Acts.

1417
P

Rules Re. Public Service motor Vehs

General and Revenue Secretariat	File No.	of 193	[App. F. III—2

Serial No.

36) Rules regarding insurance against Third party risks are also included

37) Rules, Re. the construction and equipment of Public service motor vehicles are also embodied. These are from the Draft Model Rules issued by the Govt of India for the guidance of Provinces.

38) Rules for the grant of monopoly to Rly lines on competitive roads are also included.

39) Provision is made in rules for appeals to the Traffic Board whose decision is ordered to be final.

(c) If approved, the Draft rules will be published in the Gazette of the 21st inst. and objections called for

First Member
Genl. Secretary → Secy 19/11 18/11

41)

NOTE.—Contn. Sheet.

WD 03594—GPB—30,000—18-7-35

The portion re passengers may be removed as the rules provide for same. The rest of the rules may be published

OFFICE OF THE FIRST MEMBER OF COUNCIL
19 NOV. 1935
No. 3401

Draft Rules

1417 of 1935
P

Legs File No. 46 of 1935

General and Revenue Secretariat

4/ Draft Notification Submd.
3/ 20/11/35 45 Dosee

1 Issued no P 3355 dt 20.11.35 to the Compiler Mlys Gaz forwards draft rules for publication in the Gaz dt 21.11.35

11 copies to 80 to publicity Offr

published on page 426 of the Rep Gaz dt 21.11.35 part IV.

4/4 A Draft to the I.G.P and Dcs of Dists calling for their suggestions on the above rules is submitted for kind approval as personally ordered.
3/ 26/11/35 45 Dosee

Issued no P 3445-53 dt 27.11.35 to the I.G.P & the Dcs of Dists calling for their Suggestions

No. M.V. 761/35 dt the 5th Dec 1935 from the I.G.P. forwarding his suggestions on the draft rules.

Memo no M B 35/35-36 dt 6.12.35 from the Dist magte Tumkur forwarding proposals of the Tumkur Bus Inspector on the draft Rules re public Service motor vehicles.

Letter dated 8.12.1935 from the President, Mysore District automobile Association Submitting Resolutions of the association on the draft rules.

Draft Rules re - public Service motor Vehicle.

Serial No.

Letter dt 9.12.35 from the Secy the Mysore motor bus owners associations, Bl'ore forwarding the remarks of the Executive committee of the association on the Draft Rules.

Gl. 1099/35 dt 7/9.12.35 from the Dy. Supdt Stating that the rules are suitable & may be adopted

Letter dt 11.12.35 from the proprietor Srikanteswara motor Service, Blore subg forwards his views on the draft rules.

Letter dt 11.12.35 from the proprietor S.L.N. Bus Service Blore city forwarding his opinion and suggestions on the Draft rules.

No J.4 - C. 1541/35-36 dt 10.12.35 from the D.C. Kolar Stating that the rules are suitable and may be adopted

Letter dt nil from Mr S. D. Angadi through the Mysore Dt automobile association forwarding suggestions on the Draft rules.

No. 4674 dt 11.12.35 from the Agent Mysore Rys. forwards his suggestion on the Draft rules.

46) The last date for receiving objections or suggestions is over. The Suggestions received from the various associations are put up. The opinions of the D.C.s were

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called for and the D.Cs of Mysore, Kolar have replied. They consider the rules suitable for adoption and Tumkur Bns Inspector has also submitted his suggestions through the Tumkur DC.

4) The I.G.P and the Agent have also furnished their views.

5) Replies from other D.Cs will be awaited till Monday when a reminder will issue to them.

Submd for orders

Sd/ 13/12/35

49) Dft. Final notification is submd for kind approval as previously ordered.

Sd/ 14/12/35 Issued final notification no 399 Sd/ 18.12.35 to the compiler Mysore Gaz. for publication Sd/ 14.12.35 x

Mysr. Gaz Dt 19.12.35 published in the Gaz at pages 592-629 part IV.

50) The letter of the I.G.P suggesting a meeting of the several offices concerned with the working of the R.D. Traffic & Taxation Rules is submitted for orders.

Sd/ 19/12/35 51) The I.G.P seeks a meeting of himself, the D.S.P.s in Bangalore, the DC Bangalore, the Treasury officers in Bangalore, the Municipal Commissioner, the Special Secy & Special officer

Rules re. public service motor vehicles.
& Insurance against
third party Risks

Serial No.

GENERAL SECRETARIAT
19 DEC. 1935
Rec'd

to discuss matters connected with the measures for the to be taken for the Road Tpt & Tax Repn to be worked from the 1st inst prox. A meeting like this seems very necessary.

52) The only working day prior to Christmas is the 23rd Monday. A meeting may be held at 3 P.M. on Monday in the L.C. Hall, if approved.

Genl Secretary) Init A/P 19/12 19/12

Asst Member) 53) I agree 19/12

OFFICE OF THE EXECUTIVE COUNCIL
20 DEC. 1935
Rec'd 5 P.M.

54) I agree 20/12

Init 20/12

55) The meeting was not arranged for want of time. Besides, the proposal for the meeting emanated from the Dy P at a time when the full set of rules were not before him.

55 A meeting of this Kind

GENERAL SECRETARIAT
39

WD 03594—GPB—30,000—13-7-35

Rules re. public Service 3 6556
motor Vehicles & Insurance against 3rd party's risks.

File No | of 193 . | General and Revenue Secretariat

may please be accepted here on. where some experience has been gained of the working of the new Regulation.

5b) It is for orders if the papers may be received per the post.

5?)

Genl. sees. This may be attended to.

Hon. 2/1/36.

8/1/36

Hon. Member)

8/1 HR 7/11

~~Note books on covered in the connection is submitted for perusal.~~

5c) May the file be closed now.

Submit for orders.

HR

3/4/11/36.

B
16/3

OFFICE OF THE FIRST MINISTER & COUNCIL
8 JAN 1936
No. 4804

Page 5.

Notes regarding periodical inspection of vehicle and examination of taximeter, suspension etc., etc.

Page 6.

Special conditions attached to the permit.

Signature.

Page 1.

APPENDIX

FORM NO. ?

Registration certificate and permit in respect of a motor bus.

Registered number.

Brief description. (*e.g.*, Chevrolet 23 seater bus).

Name and address of registered owner.

1.

Signature and seal of registering authority.

2.

Signature and seal of registering authority.

3.

Signature and seal of registering authority.

4.

Signature and seal of registering authority.

(NOTE.—This will be bound in a cover and be about 8" and 5" in size.)

Page 2.

1. Description of vehicle and body.
2. Seating capacity excluding driver's and conductor's seat.
3. Maximum weight of luggage or goods that may be carried on the roof of the vehicle. pounds.
4. Maximum weight of luggage or goods that may be carried within the body of the vehicle in addition to the full complement of passengers. pounds.

(NOTE.—Provided seating accommodation is provided for the passengers on the vehicle, for every passenger less than the registered seating capacity 140 lbs. of luggage or goods may be carried.)

5. Year of manufacture.
6. Number of cylinders.
7. Chassis number.
8. Colour.
9. Description and size of tyres—
   (*a*) Front wheels.
   (*b*) Back wheels.
10. Unladen weight.
11. Registered laden weight.
12. Maximum speed permissible.
13. Description of speed governor.
14. Other remarks.

Signature and seal of registering authority.

Date.

Page 3.

ORDINARY PERMIT.

Permit to ply for hire.

This motor bus is hereby permitted to ply for hire within the following limits. This permit is valid up to.....
Registered Number.

Signature and seal of District Magistrate, District.

and within the following limits.

Signature and seal of District Magistrate, District.

and within the following limits.

Signature and seal of District Magistrate, District.

Page 4.

Payment of fees and taxes and renewal of certificate and permit.

Period for which dues have been paid and the certificate and permit renewed.	Amount paid.	Signature and seal of registeing authority.
Year / Quarter ending		

Page 5.

Notes regarding periodical inspection of the vehicle and equipment and orders regarding repairs or suspension of the permit or certificate, etc., etc.

Page 6

Special conditions.

APPENDIX ~~III~~ V *contd.*

FORM 3.

Registration certificate in respect of a motor lorry.

Registered Number.

Brief description.

Name and address of registered owner.

1.

Signature and seal of registering authority.

2.

Signature and seal of registering authority.

3.

Signature and seal of registering authority.

4.

Signature and seal of registering authority.

(NOTE.—This will be bound in a cover and be about 8" and 5" in size.)

Page 2.

1. Description of vehicle and body.
2. Year of manufacture.
3. Number of cylinders.
4. Chassis number.
5. Colour.
6. Description and size of tyres—
   (*a*) Front wheels.
   (*b*) Back wheels.
7. Unladen weight.
8. Registered laden weight.
9. Maximum speed permissible.
10. Description of speed governor.
11. Other remarks.

Signature and seal of registering authority.

Date.

Payment of fees and taxes and renewal of certificate. *Page 3.*

Period for which dues have been paid and certificate is renewed	Amount paid	Signature and seal of registering authority.

Exempted from tolls of Municipality.....

Page 4.

This motor lorry is permitted to let or ply for hire or reward within the following limits. This is valid up to.....

Signature of District Magistrate—District.

Exempted from tolls at all on Government toll-gates in the area other than special *ad-hoc* toll-gates and toll-gates noted below on Railway competition roads.

Page 5.

Re-periodical Inspection of vehicle.

Special conditions.

Page 6.

District Magistrate.

FORM No. 4.

Form of Short-term or Special permit for Motor Cabs and Motor Buses.

I the District Magistrate of.....District hereby permit the letting or plying for hire of the motor cab—motor bus described below belonging to..... .....residing at .whose head office is at..... subject to the following conditions.

2. This permit is valid for the road or roads or for the area specified below.

3. The permit is valid up to and inclusive of..... day of.....month.....year.

I. Description of motor vehicle.

II. The Road or Roads and the area in which it is permitted to ply

III. Special Conditions.

IV. Fees collected

FORM No. 5.

Form of permit for the use of a motor bus for private purposes within the area for which it holds an ordinary or short-term or special permit.

Under rule..... .....of Rules for public service motor vehicles, 1935, I do hereby authorise the employment for private purposes subject to the following conditions of motor vehicles No. belonging to.....residing at.....for the purposes and on the dates specified below :—

(Here enter the purposes and dates.)

The motor vehicle shall be marked " private."

District Magistrate, ...*District*

Station..... .....

Date..... .....

Printed by the Superintendent at the Government Press, Bangalore.

NOTIFICATION.

No. P. 3355—Legis. 46-35, dated, Bangalore, 20th November 1935.

The following draft rules which the Government propose to make in exercise of the powers conferred upon them by Section 11 of the Mysore Motor Vehicles Regulation, 1928, and Sections 5 and 23 (3) of the Mysore Road Traffic and Taxes Regulation, 1935, regarding public service motor vehicles, are hereby published for the information of persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 13th of December 1935 and that any suggestions or objections which may be received from any person in respect of the said rules before the date aforesaid will be considered by Government.

From the date of coming into force of these rules, rules 27 to 30 B., both inclusive, of the Motor Vehicles Rules, 1924, issued with notification No. P. 3015—Legis. 21-22-10, dated 12th December 1924, as amended from time to time shall be of no effect.

By Order,
M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

RULES REGARDING PUBLIC SERVICE MOTOR VEHICLES.

Rules applicable to all classes of such vehicles.

Permits for public service motor vehicles.

1. No person shall drive nor shall any registered owner allow to be driven on any public road a public service motor vehicle unless—

(*a*) a permit has been issued by the authority empowered under these rules in respect of such vehicle in form 1, or form 2, or form 3 or form 4 of Appendix as the case may be or

(*b*) a valid permit issued by some other authority in respect of such vehicle has been endorsed by the competent authority, and

(c) the vehicle complies in all respects with the registration certificate, the permit and the provisions of these rules,

provided that no person shall be liable for a breach of this rule in respect of any public service motor vehicle which is being taken from one place to another for the purpose of registration or of being repaired so long as it is not carrying passengers or goods for hire or reward.

Classes of permits.

2. (i) Permits for public service motor vehicles shall be of the following classes :—

(i) Ordinary permits.
(ii) Short-term permits.
(iii) Special permits.

(ii) Ordinary permits shall enable the holder to let or ply his vehicle for hire for the carriage of passengers or goods as the case may be as part of a regular service.

(iii) With a view to enabling vehicles to be used temporarily for periods of a limited duration during feasts, fairs and other such like special occasions or for the purposes of a seasonal business, short-term permits may be granted for periods not exceeding one month at a time or three months in the aggregate during an official year.

(iv) Special permits shall entitle the holder to use the vehicle for the carriage of persons or goods or persons and goods for hire or reward for a casual outward and home journey or for the purpose of the execution of a particular piece of work. The duration of such permits shall not exceed the period of 15 days in any quarter.

Applications for permits.

3. (i) Applications for ordinary, short-term and special permits for the use of the vehicle within the limits of a district shall be made to the District Magistrate of the District.

(ii) Applications for ordinary, short-term and special permits for the use of the vehicle in more than one district shall be made to the District Magistrate of the District in which the owner resides or carries on the business in respect of which the vehicle is used.

(iii) Applications for permission from persons not residing in Mysore and not falling in the sub-clauses (i) and (ii) above shall be made to the District Magistrate of the district through the limits of which such vehicle has to pass first immediately on its entering the limits of the State.

Special conditions of the permit.

4. The authority empowered by these rules to grant permits may attach to such permits such additional special conditions as it may think fit with respect to the matters to which it is required to have regard under the Regulations and these rules and in particular in regard to the time-table and frequency of the service, picking up and setting down of passengers along the whole route or part thereof, fares or rates to be charged or the class of goods to be carried. The said conditions may be varied by such authority from time to time at its discretion. These special conditions shall be binding on the permit-holders as though they were conditions prescribed under the rules.

Suspension and cancellation of permits.

5. (i) The permit referred to in rule 1 may be refused or if it has already been granted, or endorsed, may at any time be suspended or revoked by the authority by whom it was so granted or endorsed if, having regard to the conduct of the applicant or the holder of the permit, as the case may be, or to the manner in which the vehicle is being used it appears to the authority that he is not a fit person to hold such a permit.

(ii) Every permit issued or endorsed under these rules is also liable to cancellation or suspension by the Board or the officer granting the permit as the case may be in the following circumstances :—

(*a*) In the event of an offence against the provisions of the Mysore Motor Vehicles Regulation and the Mysore Road Traffic and Taxes Regulation or of a breach of these rules committed by the holder of the permit or committed in respect of public service motor vehicles authorised to ply under such permit, or

(*b*) In the event of failure, without reasonable cause, on the part of the holder of such permit to operate a public service motor vehicle under the terms of such permit,

Provided that the said revocation or cancellation shall not be made unless the authority empowered to make it is, after giving the person an opportunity of being heard, satisfied that the permit should be revoked or cancelled.

6. The permit-holder shall, immediately on service of the order of the said cancellation or suspension of the permit, return the said permit and any other disc or token

issued in connection therewith to the authority that originally issued the said permit and the disc or token.

The permit to be carried on the vehicle.

7. The permit granted to a public service motor vehicle shall, except when it has been sent to the authority granting it for renewal or alteration or on a requisition by such authority be carried by the driver of the vehicle whenever it is in motion and shall be open to inspection by any Magistrate, Police Officer or an Inspector of motor vehicles appointed under rule 12 or any officer of the Board duly empowered in this behalf. Such officer shall have power to stop the vehicle for the purpose of such inspection.

Transfer of permits.

8. (i) Every permit granted under these rules is in respect of the particular vehicle and the owner of it authorised to operate it. Such permit shall not be capable of being transferred or assigned and shall lapse if the said owner sells, transfers, parts in any other way with the vehicle in favour of any other person.

(ii) In the event of the death of the permit-holder, the authority empowered to grant permits may, in its discretion, authorise the transfer of the permits to his legal heirs. A fee of Rs. 100 shall be payable on every such transfer.

Issue of duplicate permit.

9. On sufficient cause being shown, it shall be open to the officer issuing the permit to grant a copy of it on payment of a fee of Rs. 5. Such permit shall be clearly marked with the word 'Copy' written in red ink across the permit.

Validity of permits.

10. Subject to the conditions prescribed in these rules and the special conditions prescribed in the permit,

(*a*) an ordinary permit shall be valid for the route or the area specified in the said permit and shall, if not otherwise suspended or cancelled under these rules, be valid till the end of the official year unless any other period is specified in the said permit;

(*b*) A short-term or a special permit shall be valid for the route or the area for the period specified in such permits.

Insurance against third party risks.

11. (i) Subject to such exceptions as may be made by Government from time to time in respect of any class of vehicles no permit shall be issued in respect of any

public service motor vehicle unless the registered owner:—

(*a*) has taken out an insurance policy to cover risks to passengers and third parties arising out of the use of the said public service motor vehicle for the duration of the permit, and

(*b*) produces a receipt for the premium paid in respect of such policy to an insurance company approved by the Government in this behalf by notification in the official Gazette.

(ii) No person shall drive nor shall any registered owner allow to be driven in any public place any public service vehicle in respect of which the insurance policy as aforesaid shall for any cause have ceased to be in force.

This rule will come to force in each District or area on and from a date to be notified by the Government in the official Gazette in this behalf.

(iii) No insurance policy specified in Rule 11 (i) shall be transferred from one registered owner to another save with the approval of the authority granting the permit in respect of the vehicle. The fact of the transfer shall be endorsed by the authority upon the insurance policy. For every such transfer and endorsement a fee of Rs. 5 shall be levied.

Inspection of public service motor vehicles.

12. (i) The Board may by general or special order call upon the registered owner of any public service motor vehicle to produce the said vehicle for inspection by such person and at such time and place as it may specify and the registered owner shall be bound to comply with any such order.

(ii) The Board may by general or special order specify the inspecting authority by whom the permit of any public service vehicle may be summarily suspended pending the execution of repairs to the said vehicle and the said inspecting authority may at any time suspend any such permit and shall in that event take the said permit into his possession and give to the registered owner a receipt for the same and a statement in writing of the reasons for suspension and of the repairs that must be carried out before the said permit may be restored.

(iii) Upon the completion of the repairs required by the inspecting authority under the foregoing rule, the registered owner shall be entitled to call upon the inspecting authority to inspect the vehicle within seven days and

shall in that event be bound to produce the said vehicle for inspection at any reasonable time and at any place specified by the inspecting authority.

Trailers.

(iv) No person shall attach any trailer to any public service motor vehicle carrying persons when in use as such, nor shall any person drive any such vehicle to which a trailer is attached, except under the written permission of the authority granting the permit.

General duties of drivers and conductors.

13. No driver, conductor or other person in charge of or employed upon any public service vehicle shall, when acting as such,

(*a*) cause or allow any person to be or be seated or anything to be placed within the space reserved or intended for the accommodation of the driver or otherwise in such a way as to hamper or interfere with the driver in his control of the vehicle

(*b*) when both goods and passengers are carried on any such vehicle, cause or allow goods to be loaded or any passenger to be carried in such a way that any passenger is without reasonable seating accommodation;

(*c*) save as may otherwise be provided by or under any general or special rule made by competent authority cause or allow any such vehicle to be loaded with passengers beyond the registered seating capacity or with luggage or goods in excess of the amount specified in the registration certificate, or permit as the case may be;

(*d*) cause or allow any such vehicle to stand, or loiter with any such vehicle, for the purpose of obtaining passengers save as may be directed by competent authority;

(*e*) wrongfully obstruct or attempt to obstruct the driver, conductor or other person in charge of any other public service vehicle in the transaction of his business;

(*f*) refuse without good cause to carry any person who tenders a proper fare;

(*g*) require without good cause any person who has paid any fare to alight before the completion of the journey in respect of which the said fare shall have been paid, or

(*h*) in the case of a motor bus cause or allow anything to be placed in the gangway of the said bus in such a manner as to obstruct the entry or exit;

(*i*) behave in an incivil and disorderly manner;

(*j*) smoke in or on a vehicle during a journey or when it has passengers on board;

(*k*) fail to take all reasonable precautions to ensure the safety of passengers in or on or entering or alighting from the vehicle ;

(*l*) wilfully deceive or refuse to inform any passenger or intending passenger as to the destination or route of the vehicle or as to the fare for any journey ;

(*m*) if requested by any police constable or other person having reasonable cause, fail to give particulars of his permit, his name and the name and address of the person by whom he is employed ;

(*n*) not at any reasonable time, obstruct or neglect to give all reasonable information and assistance to any person having authority to examine the vehicle.

14. A driver, when acting as such, shall not when the vehicle is in motion enter into conversation with the conductor or any other person.

Precautions against infection.

15. No registered owner, no driver and no conductor or other person in charge of a public service motor vehicle shall place or carry or permit to be placed or carried on such a vehicle any person whom he knows or has reason to believe to be suffering from infectious or contagious disease, or the corpse of any person whom he knows or has reason to believe to have been suffering from any such disease, save under the written authority of a medical officer in the service of the Government, of and above the rank of a Sub-Assistant Surgeon or a medical practitioner approved by the Board in this behalf ; and in the event of his carrying such a person or such a corpse, he shall not thereafter use the said vehicle for any purpose until it has been disinfected to the satisfaction of the medical officer or a medical practitioner approved as aforesaid.

Cleanliness and repair.

16. The registered owner and other person in charge of a public service motor vehicle shall maintain the furniture and fittings of the said vehicle in a reasonable state of cleanliness and repair.

Lost property.

17. The conductor or other person in charge of a public service vehicle shall take possession of any property accidentally left therein, and within twenty-four hours take or send the property or written information of the finding of such property to the nearest police station.

18. Every public service motor vehicle shall be driven only by a person certified by the licensing

authority to drive that particular class or type of public service vehicles.

Irregular carriage of passengers or goods.

19. (*a*) No driver or other person in charge of a public service motor vehicle shall permit any passenger to ride on the roof or on the running board or on any outside portion of the said vehicle; nor shall such driver or other person load or permit to be loaded goods upon the said vehicle in such a way as to protrude beyond the said vehicle to the danger of other traffic or persons on or beside the road.

(*b*) No driver or other person in charge of a public service motor vehicle shall load or permit to be loaded such motor vehicle in such a way that the total height of the vehicle and its load exceeds ten feet from the surface on which the motor vehicle rests.

Damage to roads.

20. (*a*) Every owner of a public service motor vehicle and every driver and conductor of such a vehicle shall report to the District Magistrate any damage caused to the road by the vehicle, which will or is likely to endanger public safety.

(*b*) The owner of every such public service motor vehicle shall be liable for any damage beyond ordinary wear and tear, caused wilfully or negligently by the motor vehicle, to culverts, bridges or any other property appertaining to roads. If the cost of such damage is not paid to the Executive Engineer in charge of the property damaged, upon demand, the District Magistrate on being satisfied that the demand is proper may suspend the permit until the amount demanded or such amount as he may deem proper is paid.

Records to be maintained.

21. The registered owner, the driver and the conductor of every public service motor vehicle shall maintain such records relating to the trips done by the vehicle as may by a general or special order be prescribed from time to time by the Board or the District Magistrate. These records shall be open to inspection by officers authorised in this behalf by the Board or the District Magistrate.

Duties and powers of the Traffic Board and District Magistrate.

22 The Traffic Board shall subject to the general direction and control of Government, be the central authority in all matters connected with the regulation, control and licensing of public service motor vehicles. The District Magistrates shall be responsible for

enforcing, within their respective jurisdiction, the Regulation, the rules and instructions issued from time to time in this behalf.

RULES APPLICABLE TO MOTOR BUS SERVICES.

Classification of routes.

23. (i) For the purposes of permits for motor bus services, the Board shall grade all routes in the State in two classes, hereinafter described as "Through routes" and "Local routes" respectively.

(ii) In classifying the routes in the manner described in the foregoing rule, the Board shall be guided by the following considerations, that is to say,—

(*a*) The importance of the route as a main through route common to two or more districts or common to one district or more and a neighbouring British Indian Province,

(*b*) whether the route is one running close and parallel to the Railway and whether the motor bus services on these roads compete with Railways in respect of traffic,

(*c*) the importance and volume of traffic likely to be carried on each route,

(*d*) the necessity for the development of the route and for the provision of facilities for public service motor traffic on the route.

(iii) (*a*) Important routes which are common to two or more districts or to one district and a neighbouring British Indian Province and those the traffic on which compete with Railways may be graded as Through Routes.

(*b*) Important routes local to a district or lying wholly within a district other than those forming part of Through Routes may be graded as Local Routes.

The Board to fix number of service of motor bus.

24. (i) The Board shall, in the case of both through and local routes, prescribe the maximum number of motor bus services for which permits may be issued in each route, taking into account the volume of traffic on that route and the facilities required for that traffic. In fixing the number of services, the Board shall be guided by considerations set forth in Sub-section 2 of Section 5 of the Road Traffic and Taxes Regulation.

(ii) On important Through and Local routes, the Board may, in its discretion, fix the number of services in

such a manner as to make some provision for maintaining healthy competition in respect of the efficiency of the services generally and of the facilities and convenience provided to the passengers by such services.

25. The Board shall, within the limits of the maxima and minima fares to be prescribed by the Government in this behalf from time to time, fix the fares that are to be charged by the motor bus services for the carriage of passengers in each area.

The District Magistrate—the authority to issue permits.

26. Subject to such exceptions as may be made by the Traffic Board from time to time, permits for all public service motor vehicles shall be granted by the District Magistrates in accordance with these rules.

Selection of permit-holders.

27. (i) Permit-holders for regular motor bus services on through routes shall be selected by the Board and their names intimated to the District Magistrate or Magistrates concerned. The letter intimating the selection of the permit-holders shall specify the time-table fixed for the running of the motor bus services, the special conditions, if any, to be attached to the permit and the District Magistrate by whom the permit is to be issued. The District Magistrate thus authorised shall, on collection of the service tax and the mileage cess for the entire route, grant the permit for the service.

(ii) Selection of persons for operating regular motor bus services on local routes will be made by the District Magistrates concerned subject to the number and frequency of such services prescribed for each road by the Board and to the conditions and qualifications prescribed in these rules for the operators of such services and subject to such further supplementary instructions as may be issued by the Board from time to time in this behalf.

Time-tables for motor bus services.

28. The time-table for the running of motor bus services on Local Routes shall be fixed by the District Magistrates taking into consideration the schedule of timings fixed for services on Through Routes by the Board.

29. (i) The Board and the District Magistrate shall arrange for the provision of adequate motor bus service on all roads.

(ii) The previous sanction of Government shall be obtained if the provision of such services on any Local

Routes involves, on account of its unremunerative character, the payment of a subsidy or any other reduction in the rate of taxes.

Selection of permit-holders.

Qualifications for permit-holders.

30. In the selection of permit-holders for operating motor bus services, the authority concerned should have regard to the following matters, that is to say:—

(i) Persons selected must be of sufficient substance to manage the services efficiently. In those cases in which the authority empowered to grant permits considers it necessary, it may insist on the permit-holders making a deposit not exceeding Rs. 1,000 for each service. These deposits may, under the orders of the Board, be forfeited or otherwise drawn upon when the permit-holder fails to provide regular and efficient service or in cases of breach of rules and conditions of the permit.

(ii) Permit-holders shall maintain, on a scale fixed by the Board, additional vehicles as spares for the running of relief services in cases of break-down of the vehicles used on the regular service or in other emergencies.

(iii) For services other than inter-provincial services, preference should be given to the subjects of His Highness the Maharaja by birth or domicile.

(iv) Other things being equal, preference should be given to the existing permit-holders as against newcomers.

(v) Preference should be given to permit-holders who have made an adequate provision for running repairs and for garage accommodation.

(vi) In the selection of permit-holders for services on through and local routes, preference should be given to those who are prepared to provide services on unremunerative local routes acting as feeders to important Through and Local Routes.

The system of Selection of Permit-holders.

Monopoly for the Railway Department on roads competing with Railways.

31. (1) The State Railway Department, may, at the discretion of the Board, be granted a permit for the exclusive provision of motor bus services on roads declared

as competing with the Railways in respect of traffic. The grant of the monopoly to the Railway Department on such roads shall be subject to the following conditions, that is to say :—

(i) The previous sanction of the Government shall be obtained for the grant of the monopoly.

(ii) The monopoly shall be in respect of roads competing with Railways running parallel and close to the Railway.

(iii) The motor bus services provided by the Railways shall be subject to all the rules and regulations applicable to other such services.

(iv) The Railway Department shall provide on these routes the number of services with the frequency and to the schedule of timings approved by the Board.

(v) The monopoly shall not apply in respect of the portions of such roads as form part of the route which other motor bus services have to traverse when plying between places lying outside the said road competing with Railways, or between a place on such road and a place outside such road or between two places situated on such road, but connected by a road other than the said road competing with the Railways. Permits may be granted for services on such portions of the said road competing with Railways, subject to such special conditions with regard to fares, picking up and setting down of passengers in the portions forming part of the said road, as the Board may think fit to impose from time to time.

Special conditions attached to permits for permit-holders other than Railways on roads competing with Railways.

32. (i) When on such roads the Railway Department is not granted the exclusive option of providing motor bus services, permits for bus services may be granted to other persons.

(ii) The Board may attach to permits granted on such roads to persons other than the Railway Department, such other conditions as they may think fit for securing that—

(*a*) the fares shall not be unreasonable ;

(*b*) where desirable in the public interest the fares shall be so fixed as to prevent wasteful competition with the Railway along the route or any part thereof or in proximity thereto.

(*c*) the time-table fixed for the motor bus services may be such as to allow a reasonable interval of time

between the timings of trains and between those of the motor buses.

(*d*) that unnecessary and wasteful competition is avoided.

33. Permit-holders for the provision of motor bus services on all other roads may be selected by the prescribed authority by a process of selection from amongst suitable applicants.

Applications for permits.

34. (i) Subject to such exceptions as the Board may make from time to time, the Board in the case of Through Routes and the District Magistrates in the case of Local Routes, shall call for applications by a notice published in the Official Gazette.

(ii) Every person desirous of obtaining a permit under these rules shall present a written application to the District Magistrate indicated in Rule 3 above.

The District Magistrate shall refer applications for permits on Through Routes to the Board with such recommendations as he may deem fit to make.

35. Every such application shall contain particulars of the type or types of vehicles to be used, and of the service proposed to be operated and the Board may, for the purpose of such applications, prescribe a form of application for the entry of such other particulars as may in their opinion be required.

Monopoly of services on Roads other than those competing with Railways.

36. It shall be competent for the Board to grant a monopoly for the provision of motor bus services on any route other than that declared as competitive with Railway routes referred to in Rule 31 *supra*, subject to the following conditions, that is to say:—

(i) The previous sanction of the Government shall be obtained in each case.

(ii) The mode of selecting the person and the sum of money that is to be paid by him for the grant of monopoly shall be as approved by the Government and may include selection by means of public auction or tender.

(iii) The period for which the monopoly is to be in force shall be as fixed by the Government in each case.

(iv) The monopoly granted may be summarily suspended or revoked or terminated at any time on a month's notice if the person holding the monopoly fails

to act up to the conditions on which the monopoly is granted or fails to provide efficient, regular and satisfactory service or for breach of rules or conditions prescribed or for any other cause or failure deemed sufficient by the Board:

Provided that the said monopoly shall not be revoked or terminated unless the Board is satisfied after giving the person concerned an opportunity of being heard that the permit should be revoked or terminated.

(v) The decision of the Board in this matter and also with regard to the refund or otherwise of any portion of the sum paid for the monopoly shall be final.

(vi) The holder of a monopoly shall provide motor bus services to the timings and frequency prescribed by the Board from time to time. He shall also be subject to the rules and regulations applicable to bus services generally, under these rules and under orders that may be issued form time to time.

Short-term Permits.

37. (i) Short-term permits for motor buses for casual trips or during feasts, fairs and other such like special occasions of a duration not exceeding seven days may be granted by the District Magistrates on all roads within the limits of their District except those on which a monopoly has been given to the Railway Department or any other person.

(ii) Such permits for periods exceeding seven days shall be granted by the same authority in the same manner and subject to the same conditions as those prescribed under these rules for the grant of ordinary permits for regular motor bus services on such roads.

(iii) In granting short-term permits referred to in sub-rule (i) and (ii) above for motor bus services during feasts, fairs and other such like special occasions on roads declared to be competing with Railways in respect of their traffic, the authority shall take into consideration the additional train services provided by the Railway Department and grant permits only to the extent necessary to supplement Railway Services in the public interest.

(iv) In the selection of the said short-term permit holders preference may be given to those who hold permits for providing regular motor bus services on such routes.

(v) The fares to be charged by such short-term permit services shall not be less than those prescribed for regular services on the route

MOTOR BUSES—Drivers and Conductors.

Conduct or of Motor buses.

38. Every motor bus shall, besides a driver carry a conductor whose duty shall, in addition to any specially mentioned, be to attend on the passengers and to see to the fulfilment of these and the Motor Vehicles Rules in all cases where the driver is not held responsible according to law.

39. No person under the age of eighteen years shall act as a conductor of a motor bus in any public place.

40. (i) No person shall act as a conductor of a motor bus unless he has a written authority in the form hereinafter mentioned signed by the proprietor and countersigned by the licensing authority.

(ii) The written authority shall be in the form prescribed for the purpose and shall be obtained from the District Magistrate on payment of a fee of 1 Rupee. A photograph of the conductor shall be affixed to the space provided for the purpose in the said form and it shall be sealed in such a way as to prevent fraudulent substitution.

(iii) Where for any reason, the countersignature of the District Magistrate to the written authority referred to in sub-rule (i) cannot be obtained on the day it is submitted to him for the purpose, the proprietor of the motor bus may issue to the person to whom such written authority relates, a temporary written authority countersigned by any Police Officer not below the rank of Inspector or any Bus Inspector. Such officer shall not countersign the temporary written authority unless he is satisfied that the written authority referred to in sub-rule (i) has been submitted to the licensing authority and could not be received back after countersignature on the day it was so submitted. Such temporary written authority shall, subject to the condition contained in sub-rule (iv), entitle the person to whom it relates to act as a conductor until the written authority submitted to the District Magistrate for countersignature is received back.

(iv) The conductor shall always retain the written authority referred to in sub-rule (ii) or (iii) with him while on duty and shall exhibit it on demand to any police officer or to any Magistrate or to any officer or the Board.

(v) A court by which a conductor is convicted of an offence against the provisions of the Mysore Motor Vehicles Regulation, 1914, the Road Traffic and Taxes Regulation, 1935, or the rules made thereunder shall cause particulars of the conviction to be endorsed in the said authority.

A conductor's authority granted in accordance with any rule in force for the time being in any part of the Madras Presidency shall be valid in Mysore until the date of its expiry.

Duties of motor bus conductors.

41. A conductor of a motor bus when acting as such,

(*a*) shall not when the vehicle is in motion distract the driver's attention without reasonable cause or speak to him unless it is necessary to do so in order to give directions as to the stopping of the vehicle;

(*b*) shall take all reasonable precautions to ensure that every means provided for indicating the route, fares and destination of the vehicle are clearly and correctly displayed.

Duties of drivers.

42. A driver of a motor bus when acting as such,

(*a*) shall, when picking up or setting down passengers, stop the vehicle as close as may be to the left or near side of the road;

(*b*) shall not cause the vehicle to remain stationary on a road longer than is reasonably necessary to pick up or set down passengers except at a stand or place where such vehicles are permitted to stop for a longer time than is necessary for that purpose.

43. A conductor of a motor bus, when acting as such, shall not, except for sufficient reason, by failing to signal to the driver to start, cause the vehicle to remain stationary on a road longer than is reasonably necessary to pick up or set down passengers except at a stand or place where the vehicle is permitted to stop for a longer time than is necessary for that purpose.

43. Every driver and conductor of a motor bus shall be properly dressed, while on duty in clean uniform of the following description :— Dress for conductors and drivers.

Drivers.—Khaki trousers or shorts and Khaki closed coats with five buttons and a cap or turban.

Conductors.—Khaki shirts or coats, Khaki shorts and cap.

44. The driver of a bus shall wear in a conspicuous place on his left breast a numbered badge supplied to him by the District Superintendent of Police on payment of a fee of Re. 1. Driver's badge.

45. The proprietor shall surrender such badge on the permit for the vehicle being suspended or cancelled or becoming time-expired. If the badge is lost or not returned, the proprietor shall be liable to pay a charge of one rupee to the District Superintendent of Police.

46. No person shall drive or cause or permit any person employed by him or subject to his orders to drive a motor bus (i) for any continuous period of more than six hours or (ii) for continuous periods amounting in the aggregate to more than 11 hours in any period of 24 hours calculated from midnight, or (iii) so that the driver has not at least ten consecutive hours for rest in any period of 24 hours calculated from the commencement of any period of driving. Hours on duty of drivers.

47. Every motor bus plying for hire shall run in accordance with such schedule of timings as may from time to time be prescribed by the authority granting the permit. If, at any time, owing to an accident or other cause, the vehicle does not run on any day or runs more than three hours late on any day, a report shall forthwith be made to the District Magistrate or such other authority as may be fixed by the Board from time to time.

48. No permit issued under these rules shall entitle the permit-holder to claim compensation for being prevented from using the motor vehicle on roads and bridges which, during the currency of the permit, may be ordered by a duly constituted authority to be closed to motor traffic for repairs or for other purposes. Closing of roads and bridges to motor traffic.

49. (i). In the case of every motor bus, the name of the place of destination of the vehicle for the particular Rules to carry boards exhibiting place of destination.

trip shall be exhibited on boards in conspicuous places to the front and rear of the vehicle.

(ii) such name shall be:—

(*a*) in English and in Kannada;

(*b*) painted on black ground in white letters not less than 2 inches high and of proportionate thickness;

(*c*) clearly visible and unobstructed by car equipment or otherwise; and

(*d*) illuminated by a white light or lights so constructed and placed and so efficient as to render the letters easily distinguishable between half an hour after sunset and half an hour before sunrise.

(iii) (*a*) The conductor of the bus shall be held responsible for the observance of this rule.

(*b*) The liability of the registered owner of the vehicle for the breach of this rule shall, when he is not in the vehicle at the time of the breach, be confined to non-provision of the boards and lights and of the articles and oil necessary for the lighting of such lights.

Use of motor bus for private purposes.

50. (i) No motor bus in respect of which a permit has been obtained shall be employed for private purposes within the area or areas to which such permit or such permits relate, without a special permit in Forms annexed to these rules and except in accordance with the conditions specified therein. The said permit shall be granted by the authority which granted the original permit.

(ii) Even when a motor bus is used for private purposes in any area for which it holds the permit, all the conditions except those relating to the carrying of passengers who tender proper fare shall apply to it.

(iii) When the motor vehicle passes into any area for which no permit has been obtained and is in use in such area for private purposes only, the conditions of the permit shall not apply thereto and the certificate of registration granted to the vehicle shall be sufficient.

(iv) In every case in which a motor bus is performing a casual journey for private purposes, it shall exhibit a board or placard bearing the word "Private" painted in English in letters at least 6 inches long on a red background.

Explanation.—In this rule, the term "private purposes" means the use of the vehicle by the owner thereof for purpose *bona fide* personal and not the use of the vehicle for the carriage of any person or persons for hire or reward.

Rules relating to Motor Cabs.

Permits for motor cabs to authorise their use as contract carriage.

51. (i) Permits for a motor cab shall, subject to such exceptions as may be made by the Board in this behalf, entitle the permit holder or the person in charge of the vehicle to use it only as a contract carriage, that is to say, ' a carriage carrying passengers for hire or reward under a contract expressed or implied for the use of the vehicle as a whole at or for a fixed or agreed rate or sum and not as a vehicle carrying passengers for hire or reward at separate fares, stage by stage and stopping to pick up or set down passengers.

52. Permits for motor cabs shall be issued by the District Magistrate of the District in which the permit holder resides or in which the offices of the business in respect of which the vehicle is used are situated.

Rates for hire or detention in city areas.

53. The Board may by a notification in this behalf fix the rates for the fare or hire or detention of any motor cab let or plied for hire within the limits of a City Municipality.

Provided that nothing in these rules shall prevent the owner of such a motor cab from entering into a contract to let his motor cab for periods of not less than a full day or for trips of more than five miles beyond the municipal limits of the said City at charges agreed upon between him and the hirer.

Motor cabs at cab stands in cities.

54. The drivers of motor cabs at motor cab stands in the limits of a City shall observe the following rules :—

(1) The Drivers of the first two motor-cabs on the stand must stay beside their cabs and must be ready to be hired at once by any person, provided that a hirer wishing to hire any particular cab on the stand may do so.

(2) All motor-cabs on the stand must move up as vacancies occur.

(3) No motor-cab engaged for some future time shall remain on the stand unless the driver is willing to accept any intermediate hiring that may be offered.

(4) No disabled motor-cab shall remain on the stand unless such disablement is strictly temporary, and can be and is remedied at once.

No driver of a motor-cab plying for hire in the limits of a City Municipality shall—

(*a*) be drunk during his employment;

(*b*) make use of insulting or abusive language or gesture;

(*c*) stand elsewhere than at some stand or other place appointed for the purpose or loiter for the purpose of being hired, in or upon any public street or road, or place;

(*d*) refuse to give way (when he reasonably and conveniently may do so) to any other vehicle;

(*e*) wilfully obstruct or hinder the driver of any other motor cab in taking up or setting down any person into or from such other motor cab;

(*f*) wrongfully prevent, or intend to prevent, the driver of any other motor cab from being hired;

(*g*) demand more than the proper fare to which he is legally entitled;

(*h*) before he has been discharged by the hirer, desert from the hiring;

(*i*) ply for hire with any motor cab which is at the time unfit for public use; or

(*j*) shout in order to attract the attention of the public or of a possible hirer or, for any other reason, act in such a way as to cause inconvenience or annoyance to the public.

Dress of drivers.

55. The drivers of motor cabs shall while on duty appear in clean uniform of the following description:—

Shorts/

Khaki trousers or shirts and Khaki closed coats with five buttons and a cap or turban.

Validity of permits for motor cabs.

56. Permits for motor cabs shall be valid throughout the State, except in the case of motor cabs for which short term or special permits are granted in which case they are valid in the area and for the period specified in such permits.

Rules Applicable to Public Service Motor Lorries.

Permits for motor lorries.

57. (1) Permits for public service motor lorries shall be granted by the District Magistrates in respect of lorries to be let or plied for hire or reward within the limits of his district.

(2) Applications for permits for lorries to let or ply for hire in more than one district shall be referred by the District Magistrate specified in rule 3 above to the Traffic Board and permits issued on the advice of the Board. The same procedure as that prescribed for the issue and grant of permits for motor bus services in Rule 27 above shall, in so.far as it is applicable to motor lorries, be followed in this case also.

Liability of public service motor lorries to toll.

58. (i) The bridges and the roads specified in Schedule V of the Road Traffic and Taxes Regulation and bridges and roads to be constructed hereafter referred to in Section 20 of the said Regulation shall not be included in the area permitted for such lorries. Such lorries should pay tolls while passing toll-gates established on such roads or bridges.

(ii) The Board may, by notification in the Official Gazette, fix from time to time the roads competing with Railways on which lorries let or plied for hire shall be liable to tolls. On the issue of such a notification, motor lorries let or plied for hire shall be subject to tolls on such roads notwithstanding any condition to the contrary in the permit granted to the vehicle.

Validity of permits.

59-A. Ordinary permits for public service motor lorries shall cover casual outward and home journeys through any of the districts of the State subject to the followiug conditions :—

(i) In the area beyond that specified in the permit, the motor lorry shall be liable to tolls.

(ii) Such casual trips shall be done only when the motor lorry is let for hire to any person either on the outward or home journey as a contract carriage, that is, for an amount agreed or specified for the use of the vehicle as a whole for that journey.

(iii) The lorry shall not be let or plied for hire or reward for any purpose save that specified in sub-rule (ii) above in the area beyond that for which the lorry holds the permit.

59-B. Short-term and special permits shall be valid only for the routes or the area and for the period specified in such permits.

Special conditions on Railway competition roads.

60. The authority empowered to grant permits under these rules may attach to such permits special conditions it may deem necessary to prevent uneconomic or

wasteful competition on roads competing with Railways. Such special conditions may include, among other conditions, the following :—

(*a*) a condition that only specified classes of goods shall be carried on roads specified therein,

(*b*) a condition that specified classes of goods shall not be carried on such roads,

(*c*) a condition that rates lower than the amount specified shall not be charged on such routes.

Lorries not to carry passengers for hire or reward.

61. No motor lorry other than that for which a permit has been granted for the carriage of passengers and goods for hire or reward shall carry any passengers for hire or reward.

Rules applicable to lorries carrying passengers and goods.

62. To a motor lorry holding a permit for the carriage of passengers and of goods, all the rules applicable to a motor bus shall apply, in so far as its carriage of the said passengers is concerned and all the ~~rates~~ rates applicable to a motor lorry in so far as the carriage of goods for the said purpose is concerned.

Carriage of persons on a lorry.

63. No motor lorry let or plied for hire shall carry persons except as specified below, that is to say :—

(*a*) Not more than four persons including the driver shall normally be carried on a motor lorry.

(*b*) Such persons shall not be carried in any place on the motor lorry other than that set apart for the accommodation of persons.

(*c*) No persons other than the members of the family of the owner, or his workmen or labourers shall be so carried.

(*d*) In those cases in which it is, on account of the nature of the particular business, necessary for a larger number to be taken by the motor lorry, a special written anthority authorising the driver to carry the specified number of people should be issued by the owner of the vehicle. This authority must be carried by the driver and be available for inspection by any Police Constable or other authorised officer.

(*e*) In cases referred to in the foregoing sub-rule, the owner of the vehicle shall make proper arrangements for the seating of the persons. Such persons shall not be seated on packages or goods loaded on the lorry.

(*f*) In all cases in which it is necessary for the permit-holder to carry more than four persons, otherwise

than casually as prescribed in sub-rules (*d*) and (*e*), the approval of the authority granting the permit shall be obtained. This approval shall be granted subject to such conditions, to be specified in the permit, as the said authority may deem fit to impose.

Rules Regarding Construction and Equipment of Motor Vehicles.

Special rules applicable to Public Service Motor Vehicles.

64. The steering arms and other connections shall be of ample strength and shall be adequately protected by front bumpers from damage by collision.

65. Carburettors or other petrol receptacles, unless they are suitably encased or screened, shall not be in close proximity to the magneto or to wires or other connections carrying electric current.

66. Except in electric batteries, no celluloid or xylonite shall be used inside or outside any public service motor vehicle.

67. When a guard-tray or under-shield is fixed beneath the engine and adjacent machinery, it shall be so constructed that no petrol shall be retained thereon.

68. All moving parts and all parts subject to severe vibration fixed or connected by bolts or studs and nuts must be fastened by lock nuts, or by nuts together with efficient spiring or locknut washers or by castellated nuts together with split pins or otherwise in such a manner as to prevent their working or becoming loose.

69. Subject to such exceptions as may be made by the Government from time to time, every motor bus shall, on and from a date to be notified in the Official Gazette in this behalf, be fitted with an efficient speed-governor of a pattern conforming to the general or special orders of the Government as notified from time to time in the Official Gazette, so designed and arranged as to prevent the motor bus from being driven on a level road at a rate of speed exceeding that at which the governor may be set, and capable of being sealed in such a way that its operation cannot be altered or adjusted so long as the seal remains unbroken.

70. The speed-governor fitted to every motor bus shall at all times be so set and sealed so as to prevent the said bus from being driven at a speed in excess of that prescribed in the Motor Vehicles Rules.

71. The following particulars shall be legibly painted or otherwise exhibited in a conspicuous place on every motor cab and motor bus, namely:—

(*a*) the registered laden weight;
(*b*) Do seating capacity,
(*c*) the maximum speed permissible;
(*d*) the name and address of the registered owner.

72. Suitable means approved by the Board for extinguishing a petrol fire shall be carried in such a position as to be readily available for use.

73. All wires carrying electric current shall be properly insulated and protected from injury and so placed that they cannot be a cause of danger.

74. Where acetylene or other gas is used to light the vehicle, the cylinders or vessels which contain the gas, or in which it is generated, shall be fixed outside in such a manner as in the opinion of the authority granting the permit to eliminate, as far as may reasonably be possible, the danger of accidental ignition.

75. Every public service vehicle shall be fitted with pneumatic tyres.

76. There shall be carried on every public service motor vehicle, spare tyres properly inflated on a rim or wheel, which can be quickly fitted to the vehicle, as follows:—

(i) On every motor cab and public service Motor Lorry.	Not less than one.
(ii) On every motor bus ...	Do two.

77. No public service motor vehicle shall be driven and controlled from the left hand side of the vehicle.

78. Upon every public service motor vehicle, sufficient room shall be reserved for the driver to allow him adequate and sufficient space for the performance of his duties and, in particular, in the case of motor bus the spare reserved shall be as follows namely:—

(1) the back of the driver's seat shall be not less than 13½ inches distant from the nearest point on the steering wheel;

(2) the width of the space reserved for the driver shall be measured from a line drawn through the centre of the steering column parallel with the axis of the vehicle and shall extend on the left to a point not less than 18 inches from that line and on the right to the extremity of the vehicle:

(3) this space shall be partitioned off upon the seat of the vehicle by a partition not less than nine inches high; and

(4) within the space reserved for the driver as aforesaid, nothing shall be placed between the back of the driver's seat and the forward extremity of the space available.

79. In the case of a motor bus having a roof or hood the height measured at any point on the centre line of the vehicle from the top of the floor battons of the lower deck to the lower edge of the roof supports or hood sticks or other such projections, shall not be less than four feet and six inches or more than six feet.

80. The overall width of a motor bus shall not exceed that of the rear wheel track by more than two feet and shall in no case exceed 7 feet 6 inches, nor shall the body project beyond the rear wheel track by more than one feet at either side.

81. In every motor bus, not less than 15 inches measured in a straight line along the length of the front of each seat shall be allowed for each passenger, and the seat shall be convenient and reasonably comfortable; and

(*a*) when the seats are placed along the vehicle, the backs of the seats on one side shall be at least 54 inches from the backs of the seats on the other side of the vehicle;

(*b*) when the seats are placed across the vehicle and are facing the same direction there shall be a clearer space of not less than 11 inches between the back of one seat and the front of the seat behind; and

(*c*) When seats are placed across the vehicle and are facing each other, there shall be a clear space of not less than nineteen inches between the fronts of facing seats.

82. In every closed motor bus having entrance from the rear, there shall be a gangway along the centre, and

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(*a*) Where seats are placed along the sides of the vehicle there shall be as gangway a clear space of not less than twenty-four inches measured between the fronts of the seats ; and

(*b*) Where seats are placed across the vehicle there shall be as gangway a clear space of not less than fourteen inches between the sides of the seats.

83. Every motor bus shall be provided with adequate means of ventilation when the main windows are closed.

84. Every motor bus shall be provided with efficient means to enable passengers to signal to or attract the attention of the driver or conductor.

85. Every motor bus shall be fitted with at least one top light to illuminate adequately the interior of the passenger compartment. Such light shall be under the control of the driver.

86. The body of every public service motor vehicle shall be so constructed as to satisfy the authority empowered to grant the permit of the strength of the construction.

Rules applicable to all motor lorries.

87. (*a*) Every motor lorry shall be fitted with an efficient speed governor of a pattern conforming to the general or special orders of Government as notified from time to time in the Official Gazette, so designed and arranged as to prevent the motor lorry from being driven on a level road at a speed in excess of that at which the governor may be set ; and capable of being sealed in such a way that its operation cannot be altered or adjusted so long as the seal remains unbroken.

(*b*) The speed governor fitted to a motor lorry shall at all times be so set and sealed as to prevent the motor lorry from being driven at a speed in excess of that prescribed of these rules.

88. The overall width of a motor lorry shall not exceed the track of the rear wheels by more than two feet or be more than seven feet and six inches whichever is less.

89. The length of a motor lorry shall not be more than twenty-seven feet and six inches in the case of a four-wheeled vehicle or more than thirty feet in the case of a rigid frame six wheeled vehicle,

Provided that if the motor lorry draws a trailer the weight of which is so partially imposed upon the motor lorry that the axle weight of the rear axle of the motor lorry exceeds the axle weight of the trailer, the length of the motor lorry and the said trailer together shall not be more than thirty-three feet.

90. The following particulars shall be legibly painted or otherwise exhibited in a conspicuous place upon every motor lorry, namely—

(*a*) The registered laden weight.
(*b*) The registered axle weight.
(*c*) The maximum speed permissible.
(*d*) The name and address of the registered owner.

APPEALS.

91. Any person who,

(*a*) being an applicant for the grant of or variation of the conditions attached to a permit is aggrieved by the decision of the authority empowered to grant permits on such application or by any special condition attached to the permit,

(*b*) being already the holder of an ordinary permit for the provision of motor bus services is aggrieved by the grant of additional permits on the road for new motor bus services,

(*c*) being the holder of a permit is aggrieved by the revocation or suspension thereof

may appeal to the Appellate Commission constituted under these rules.

92. The Appeal should be preferred within one month from the date of the Order appealed against, provided that the Appellate Commission may in cases in which it considers fit relax the time limit.

93. Either the Chairman of the Board or any Committee of three members of the Board specially appointed by the Chirman for this purpose shall constitute the Appellate Commission for the purpose of hearing any appeal preferred under the foregoing rule.

94. The Chairman of the Board may make rules governing the procedure of the Appellate Commission.

Such rules may provide that an appellant shall be entitled to be heard in person in support of his appeal or by Counsel, Solicitor or Agent.

95. The Appellate Commission, when it consists of the Committee appointed by the Chairman, shall not exercise its jurisdiction unless by the full number of its members. The decision of the Appellate Commission in such cases shall be by majority.

96. The decision of the Appellate Commission shall be final

APPENDIX I.

Page 1.

FORM 1.

Registration certificate in respect of a motor cab.

Registered number.

Brief description (*e.g.*, Chevrolet 5 seater tourer).

Name and address of registered owner.

1.

Signature and seal of registering authority.

2.

Signature and seal of registering authority.

3.

Signature and seal of registering authority.

4.

Signature and seal of registering authority.

(NOTE.—This will be bound in a cover and be about 8″×5″ in size.)

Detailed description *Page 2.*

1. Class of vehicle.

2. Seating capacity excluding driver's seat.

3. Maximum weight of luggage or goods that may be carried in addition to the full complement of passengers. pounds.

(NOTE.—Provided adequate seating accommodation remains, 140 lbs. of luggage or goods may be carried in respect of each seat not occupied by a passenger.)

4. Year of manufacture.

5. Number of cylinde s.

6. Chassis number.

7. Colour.

8. Description of tyres—

(*a*) Front wheels.

(*b*) Back wheels.

9 Unladen weight.

10. Description of taximeter if any.

11. Other remarks.

Signature and seal of registering authority.

ORDINARY PERMIT.

Page 3.

Permit to ply for hire.

This motor cab is hereby permitted to ply for hire within the following limits. The permit is valid up to.....

Registered number of vehicle.

Signature and seal of District Magistrate,
.....District.

and within the following limits.

Signature and seal of District Magistrate,
... .District.

and within the following limits.

Signature and seal of District Magistrate,
.....District.

Payment of fees and taxes for renewals.

Period for which dues have been paid and the certificate and permit are renewed.	Amount paid.	Signature and seal of registering authority with date.

Year/Quarter ending

Exempt from tolls at.....

Appendix F G—11

SUBJECT.....

.....

.....

Section acts

File No. 46—38

Serial No. 11

P. 33555

No. Legis Notification.

Diary No. of letter replied to.....

To

General and Revenue Secretariat

( )

the *193*

Date of issue 20/12/35

Signed by W. H. Ranpachar

The following draft rules which the Govt propose to make in exercise of the powers conferred upon them by Section 11 of the Mys. Motor Vehicles Regln 1928 and Sections 59 23 (3) of the Mysore Road Traffic & Fares Regln regarding public service motor vehicles are hereby published for the information of persons likely to be affected thereby and notice is hereby given that the said Draft will be taken into consideration on or after the 13th of Dec 1935 and that any suggestions or objections which may be received from any person in respect of the said rules before the date

List of enclosures.....

Copied by .....

Examined by.....

WD 03601—GPB—30,000—23-9-35

aforesaid will be considered by
Govt.

~~These rules shall come~~

From the date of coming into force of these rules, Rules 27 to 30 B of the Motor Vehicles Rules 1924 vide notification no P 3015/Legis 21-22-10 dt. 12.1926 as amended from time to time shall be of no effect ~~except~~ ~~as to~~ ~~anything done~~

KMS.

SK

for Sec'y

23/11/35

To the Compiler Supare Gaz for pre-publication of the Notification dt 21.11.35 & Supply ~~10 copies each to~~ directed the Govt. Press & Dists and 50 copies to this office

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. General & Revenue Secretariat,

Dated, Bengalore, 20th November 1935

NOTIFICATION.

The following draft rules which the Government propose to make in exercise of the powers conferred upon them by Section 11 the Mysore Motor Vehicles Regulation 1928 and Sections 5 & 21 (3) of the Mysore Road Traffic and Taxes Regulation 1935, regarding public service motor vehicles, are hereby published for the information of persons likely to be effected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th of December 1935 and that any suggestions or objections which may be received from any person in respect of the said rules before the date aforesaid will be considered by Government.

From the date of coming into force of these rules, rules 30 A to 30 E. both inclusive of the motor vehicles rules 1924 issued with notification No. P.1015/Regis. 21-22-10 dated 12th December 1924 as amended from time to time shall be of no effect.

By Order,

GENERAL SECRETARY TO GOVERNMENT.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Mysore Gazette dated 21st November 1935 and supplying direct 50 copies to this office.

GSG.10.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. General & Revenue Secretariat,

Dated, Bangalore, 20th November 1935

NOTIFICATION.

The following draft rules which the Government propose to make in exercise of the powers conferred upon them by Section 11 of the Mysore Motor Vehicles Regulation 1928 and Sections 5 & 23 (3) of the Mysore Road Traffic and Taxes Regulation 1935, regarding public service motor vehicles, are hereby published for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 13th of December 1935 and that any suggestions or objections which may be received from any person in respect of the said rules before the date aforesaid will be considered by Government.

From the date of coming into force of these rules, rules 27 to 30 B. both inclusive of the motor vehicles rules 1924 issued with notification No. P.3015/Legis. 21-22-10 dated 12th December 1924 as amended from time to time shall be of no effect.

By Order,

GENERAL SECRETARY TO GOVERNMENT.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Mysore Gazette dated 21st November 1935 and supplying direct 50 copies to this office.

GSC.10.

regarding
RULES ~~FOR THE LICENSING OF~~ PUBLIC SERVICE

MOTOR VEHICLES.

-:-

Rules applicable to all ~~such~~ classes of such vehicles.

Permits for public service motor vehicles.-

1. No person shall drive nor shall any registered owner allow to be driven in any public road a public service motor vehicle ~~as a stage or an express carriage or a contract carriage~~ unless

(a) a permit has been issued by the authority ~~prescribed~~ empowered under these rules in respect of such vehicle in form , or form or form of Appendix as the case may be for the use of the vehicle as a vehicle of that class, or

(b) a valid permit issued by some other authority in respect of such vehicle has been endorsed by ~~the prescribed~~ competent authority, and

(c) the vehicle complies in all respects with the registration certificate, the permit and the provisions of these rules,

provided that no person shall be liable for a breach of this rule in respect of any public service motor vehicle which is being taken from one place to another for the purpose of registration or of being repaired so long as it is not carrying passengers or goods for hire or reward.

2. The authority empowered by these rules to grant permits may attach to such permits additional special conditions as it may think fit and vary the said conditions from time to time at its discretion. These conditions shall be binding on the permit holders as though they were conditions of the permit ~~specified~~ prescribed under these rules.

(classes of permits)

2. (i) Permits for public service motor vehicles shall be of the following classes:-

(i) Ordinary permits.
(ii) Short-term permits.
(iii) Special permits.

(ii) Ordinary permits ~~as~~ shall enable the holder to let or ply his vehicle for hire for the carriage of passengers or goods as the case may be as part of a regular service.

(iii) With a view to enabling vehicles to be used temporarily for periods of a limited duration during feasts, fairs and other such ~~like~~ like special occasions or for the purposes of a seasonal business, short-term permits may be granted for periods not exceeding one month at a time or ~~two~~ three months in the aggregate during an official year.

(iv) Special permits shall entitle the holder to use the vehicle ~~for the~~ public service motor carriage of persons or goods or persons and goods ~~for hire or reward~~ for a casual outward and home journey or for the purpose of the execution of a particular piece of work. The duration of such permits shall not exceed the period of 15 days in any quarter.

(Applications for permits)

3. (i) Applications for ordinary, short-term and special permits for the use of the vehicle within the limits of a District shall be made to the District Magistrate of the District.

(ii) Applications for ordinary, short-term and special permits for the use of the vehicle in more than one District shall be made to the District Magistrate of the District in which the owner resides or carries on the business in respect of which the vehicle is used.

(iii) Applications for permission from persons not residing in Mysore and not falling in the sub clauses (i) and (ii) above shall be made to the District Magistrate of the District through the limits of which such vehicle has to pass first immediately on its entering the limits of the State.

Special conditions of the permit

4. The authority empowered by these rules to grant permits may attach to such permits such additional special conditions as ~~they~~ it may think fit with respect to the matters to which ~~they are~~ it is required to have regard under the Regulations and these rules and ~~has~~ in particular in regard to the time table and frequency of the service, picking up and setting down of passengers along the whole route or part thereof, fares or rates to be charged or the class of goods to be carried. The said conditions may be varied by such authority from time to time at its discretion. These special conditions shall be binding on the permit holders as though they were conditions prescribed under the rules.

Suspension and cancellation of permits.

5(i) The permit referred to in rule 1 may be refused or if it has already been granted, or endorsed, may at any time be suspended or revoked by the authority by whom it was so granted or endorsed if, having regard to the conduct of the applicant for the permit or of the holder of the permit, as the case may be, or to the manner in which the vehicle is being used, it appears to the authority that he is not a fit person to hold such a permit.

(ii) Every permit issued or endorsed under these rules is also liable to cancellation or suspension by the Board or the Officer granting the permit as the case may be in the following circumstances:-

(a) In the event of an offence against the provisions of the Regulations or of a breach of these rules committed by the holder of the permit, or committed in respect of a public service motor vehicle authorised to ply under such permit, or

(b) In the event of failure, without reasonable cause, on the part of the holder of such permit to operate a public motor vehicle under the terms of such permit.

Provided that the said revocation or cancellation shall not be made unless the authority empowered to ~~do so~~ make it is satisfied, after giving the person an opportunity of being heard, that the permit should be revoked or cancelled.

6. The permit holder shall, immediately on service of the order of the said cancellation or suspension of the permit return the said permit and any other disc or token issued in connection therewith to the authority that originally issued the said permit and the Disc or token.

The permit to be carried on the vehicle.

7. The permit granted to a public service motor vehicle shall, except when it has been sent to the authority granting it for renewal or alteration or on a requisition by such authority be carried by the Driver of the vehicle whenever it is in motion and shall be open to inspection by any Magistrate, Police Officer or an Inspector of motor vehicles appointed under rule [illegible] or any Officer of the Board duly empowered in this behalf. Such officer shall have power to stop the vehicle for the purpose of such inspection.

Transfer of permits.

8i. Every permit granted under these Rules is in respect of the particular vehicle and the owner of it authorised to operate it. Such permit shall lapse if the said owner sells, transfers or parts in any way with the vehicle in favour of any other person.

8. ii. In the event of the death of the permit holder the authority empowered to grant permits may, in its discretion authorise the transfer of the permits to his legal heirs. A fee of Rs. 100/- shall be payable on every such transfer.

Issue of duplicate permit.

9. On sufficient cause being shown, it shall be open to the officer issuing the permit to grant a copy of it on payment of a fee of Rs. 5/-. Such permit shall be clearly marked with the word 'Copy' written in red ink across the permit.

Validity of permits.

10. Subject to the conditions prescribed in these rules and the special conditions prescribed in the permit,

(a) an ordinary permit shall be valid for the route or the area specified in the said permit and shall if not otherwise suspended or cancelled under these rules be valid till the end of the official year unless any other period has been specified in the said permit.

(b) A short term permit and a special permit shall be valid for the route or the area and for the period specified in such permits.

Insurance against third party risks:-

11. 6. (1) Subject to the provision of sub rule (2) below, no permit shall be issued in respect of any public ~~motor~~ service motor vehicle unless the registered owner--

(a) has taken out an insurance policy to cover risks to passengers and third parties arising out of the use of the said public service motor vehicle for the duration of the permit, and

(b) produces a receipt for the premium paid in respect of such policy to an insurance company approved by the Government in this behalf by notification in the official Gazette.

(2) No person shall drive nor shall any registered owner allow to be driven in any public place any public service vehicle in respect of which the insurance policy as aforesaid shall for any cause have ceased to be in force. This rule will come to force in each District or area on and from a date to be notified by the Government in the official Gazette in this behalf.

(3) No insurance policy specified in Rule 6(1) shall be transferred from one registered owner to another save with the approval of the authority granting the permit in respect of the vehicle. The fact of such transfer ~~which~~ shall be endorsed upon the ~~said permit~~ and insurance policy. For every such transfer and endorsement a fee of Rs 5/- (five) shall be levied.

And if the permit also is transferred with appl under rule on such permit.

(4) 6. The Government may by an order in this behalf notified in the official Gazette exempt from the operation of these rules

~~any public service motor vehicle~~ or any class of public service motor vehicles or any such vehicles or class of vehicles used in any specified area.

Inspection of public service motor vehicles.--

12. (i) The Board may by general or special order call upon the registered owner of any public service motor vehicle to produce the said vehicle for inspection by such person and at such time and place as ~~the registering authority~~ it may specify and the registered owner shall be bound to comply with any such order.

(ii) ~~(i).~~ The Board may by general or special order specify the inspecting authority by whom the permit of any public service vehicle may be summarily suspended pending the execution of repairs to the said vehicle and the said inspecting authority may at any time suspend any such permit and shall in that event take the said permit into his possession and give to the registered owner a receipt for the same and a statement in writing of the reasons for suspension and of the repairs that must be carried out before the said permit may be restored.

(iii) Upon the completion of the repairs required by the inspecting authority under the foregoing rule, the registered owner shall be entitled to call upon the inspecting authority to inspect the vehicle within seven days and shall in that event be bound to produce the said vehicle for

inspection at any reasonable time and at any place specified by the inspecting authority.

12. No person shall attach any trailer to any public service ~~passenger~~ motor vehicle carrying passengers when in use as such, nor shall any person drive any such vehicle to which a trailer is attached, except under and in accordance with the written permission of the authority by whom the vehicle is licensed.

13. No driver, conductor or other person in charge of or employed upon any public service vehicle shall when acting as such.

General duties of drivers and conductors

(a) cause or allow any person to be or be ~~or~~ seated or anything to be placed within the space reserved or intended for the accommodation of the driver or otherwise in such a way as to hamper or interfere with the driver in his control of the vehicle;

(b) when both goods and passengers are carried on any such vehicle cause or allow goods to be -- loaded or any passenger to be carried in such a way that any passenger is without reasonable seating accommodation;

(c) save as may otherwise be provided by or under any general or special rule made by competent authority cause or allow any such vehicle to be loaded with passengers beyond the registered seating capacity or

with luggage or goods in excess of the amount specified in the registration certificate, or permit as the case may be;

(d) cause or allow any such vehicle to stand, or loiter with any such vehicle for the purpose of obtaining passengers save as may be directed by competent authority;

(e) wrongfully obstruct or attempt to obstruct the driver, conductor or other person in charge of any other public service vehicle in the transaction of his business;

(f) refuse without good cause to carry any person who tenders a proper fare;

(g) require without good cause any person who has paid any fare to alight before the completion of the journey in respect of which the said fare shall have been paid, or

(h) in the case of a motor bus cause or allow anything to be placed in the gang way of the said bus in such a manner as obstruct the entry or exit.

~~14. "A driver or a conductor, when acting~~ as ~~such~~,

(a) shall behave in a ~~civil~~ incivil and disorderly manner;

(b) shall ~~not~~ smoke in or on a vehicle during a journey or when it has passengers on board ~~(P)~~;

(k) shall fail to take all reasonable precautions to ensure the safety of passengers in or on or entering or alighting from the vehicle (of);

(l) shall ~~not~~ wilfully deceive or refuse to inform any passenger or intending passenger as to the destination or route of the vehicle or as to the fare for any journey;

(m) shall, if requested by any police constable or other person having reasonable cause fail to give particulars of his ~~licence~~ learner, his name and the name and address of the person by whom he is employed

(n) shall ~~not~~, at any reasonable time, obstruct or neglect to give all reasonable information and assistance to any person having authority to examine the vehicle.

14 A driver, when acting as such, shall not when the vehicle is in motion enter into conversation with the conductor or any other person.

Precautions against infection.-

15. No registered owner, no driver and no conductor or other person in charge of a public service motor vehicle shall place or carry or permit to be placed or carried on such a vehicle any person whom he knows or has reason to believe to be suffering from infectious or contagious disease or the corpse of any person whom he knows or

has reason to believe to have been suffering from any such disease, save under the written authority of a medical officer in the service of the Government, of and above the rank of a Sub-Assistant Surgeon or a medical practitioner approve by the Board in this behalf; and in the event of his carrying such a person or such a corpse he shall not thereafter use the said vehicle for any purpose until it has been disinfected to the satisfaction of the medical officer or a medical practitioner approved as aforesaid.

Cleanliness and repair.

16. The registered owner and other person in charge of a public service -- motor vehicle shall maintain the furniture and fittings of the said vehicle in a reasonable state of cleanliness and repair.

Lost property.

17. The conductor or other person in charge of a public service motor vehicle shall take possession of any property accidentally left therein, and within twenty-four hours take or send the -- property or written information of the finding of such property to the nearest police station.

~~Rates and fares.~~

(11) The owner of every public service motor vehicle for which rates and fares to be charged have been so fixed by the -- Board shall cause a schedule of such fares to be exhibited in a prominent place in or on the vehicle as prescribed by the Board from time to time.

1919. 20. Every public service motor vehicle shall be driven only by a person certified by the licensing authority to drive that particular class or type of public service vehicles.

Excess passengers or goods.--

No driver of or other person in charge of a public motor vehicle shall drive or permit to be driven such motor vehicle with a number of passengers of weight of goods exceeding the maximum fixed for it.

Irregular carriage of passengers or goods.--

19 20. (a) No driver or other person in charge of a public service motor vehicle shall permit any passenger to ride on the roof or on the running board or on any outside portion of the said vehicle; nor shall such driver or other person load or permit to be loaded goods upon the said vehicle in such a way as to protrude beyond the said vehicle to the danger of other -- traffic or persons on or beside the road.

(b) No driver or other person in charge of a public service motor vehicle shall load or permit to be loaded such motor vehicle in such a way that the total

height of the vehicle and its load exceeds ten feet from the surface on which the motor vehicle rests or in case

a way-bill for the load on the vehicle which the Collector of the vehicle.

20 (a) Every owner of a public -- service motor vehicle and every driver and conductor of such a vehicle shall report to the District Magistrate any damage caused to the road by the vehicle (which) or is likely to cause under public safety.

(b) The owner of every such public service motor vehicle shall be liable for any damage beyond ordinary wear and tear, caused wilfully or -- negligently by the motor vehicle, to culverts, bridges or any other property appertaining to roads. If the cost of such damage is not paid to the Executive Engineer in charge of the property -- damaged, upon demand, the District -- Magistrate on being satisfied that the demand is proper may suspend the permit until the amount demanded or such amount as he may deem proper is paid.

21 Records and returns

22 The registered owner, the driver and the conductor of every public servic motor vehicle shall maintain such -- records relating to the trips then done by the vehicle as may by general or special order be prescribed from time to time by the Board or the District -- Magistrate. These records shall be open to inspection by officers authorised in this behalf by the Board or the District Magistrate.

Duties and powers of the Traffic Board in regard to licensing of public service motor vehicles.--

22. ~~23~~. The Traffic Board shall, subject to the general direction and control of Government, be the central authority in all matters connected with the regulation, control and licensing of Public Service Motor Vehicles. The District Magistrates shall be responsible for enforcing, within their respective jurisdiction the Regulations, the Rules and instructions issued from time to time in this behalf.

Rules applicable to Permits for

Licensing of motor bus services.

Classification of routes.-

~~23~~24 ~~19~~. (i) For the purposes of granting the licensing of permits for ~~ing~~ of motor bus services, the Board shall grade all routes in the State in two classes hereinafter described ~~defined~~ as "Through routes" and "Local routes" respectively.

(ii) In classifying the routes in the manner described in the foregoing sub-rule the Board shall be guided by the following considerations that is to say,

(a) The importance of the route as a main through route common to two or more Districts or common to one District or more and a neighbouring British Indian Province,

(b) whether the route is one running close and parallel to the Railway and whether the motor bus services on these roads compete with Railways in respect of traffic,

(c) the importance and volume of traffic likely to be carried on each route,

(d) the necessity for the development of the route and for the provision of facilities for public service motor traffic on the route.

(iii)(a) Important routes which are common to two or more Districts or to one ~~or more~~ District and a neighbouring British Indian Province and those the traffic on which compete with Railways may be graded as Through routes.

(b) ~~Important~~ Routes local to a District or lying wholly within a District other than those forming part of Through Routes may be graded as Local Routes.

<u>The functions and duties of the Board in the case of all the routes.</u>

24 ~~25~~. The Board shall in the case of both Through and Local routes prescribe the maximum number of motor bus services for which permits may be issue in each route, taking into account the volume of traffic on that route and th facilities required for that traffic. In fixing the number of services, the Board shall be guided by consideration set forth in sub section 2 of Section of the Road Traffic and Taxes Regulation.

(ii) On important Through & local routes the Board may in its discretion in fixing the number of ser- ~~vices~~ in such a way as to make ser

maintaining
provision for healthy competition
in respect of the efficiency
of the services and of the facilities and
conveniences provided to
the passengers by Railway.

~~25~~ The Board shall, within the limits of the maxima and minima fares prescribed by the Government in this behalf from time to time fix the fares that are to be charged by the ~~regular~~ motor bus services for the carriage of passengers in each area.

to be

Selection of permit holders and grant of permits.- District wise shall to cease permits

~~27~~. (i) Subject to such exceptions as may be made by the Traffic Board from time to time, permits for all public service motor vehicles may be granted by the District Magistrates in accordance with the ~~conditions set forth below and in other parts of these rules~~ several.

Selection of permit holders

27 (~~i~~b) Permit-holders for regular motor bus services on Through routes shall be selected by the Board and their names intimated to the District Magistrate or Magistrates concerned. The letter intimating the selection of the permit-holders shall specify the time-table fixed for the running of the motor bus services, the special conditions, if any, to be attached to the ~~licence~~ permit and the District Magistrate by whom the permit is to be issued. The District Magistrate thus authorised shall, on collection of the service tax and the mileage cess for the entire route, grant the permit for the service ~~valid for the entire route including portions of the route (being~~ lying ~~in other districts~~.

(iii) Selection of persons for operating regular motor bus services on local routes will be made by the District

Magistrates concerned subject to the number and frequency of such services prescribed for each road by the Board and to the conditions and qualifications prescribed in these rules for the operators of such services and subject to such further supplementary instructions as may be issued by the Board from time to time in this behalf.

Time tables for motor bus services.

28 (iii) The time-table for the running of ~~these~~ motor bus services on Local routes shall be fixed by the District Magistrates concerned taking into consideration the schedule of timings fixed for the services on Through routes by the Board

Provision of adequate motor bus services)

29 ~~(ii)~~ (i) The Board and the District Magistrate shall arrange for the provision of adequate motor bus service on all Roads.

(ii) The previous sanction of ~~the~~ Government shall be obtained if the provision of such services on any Local ~~roads~~ Route involves, on account of its unremunerative character, the payment of a subsidy or any ~~other~~ reduction in the rate of ~~taxation or of mileage cess~~ taxes.

Selection of Permit-holders.

Qualifications for permit holders.

30 ~~23~~. In the selection of Permit-holders for operating motor bus services, the authority concerned should have regard to the following matters, that is to say,

(i) Persons selected must be of sufficient substance to manage the services efficiently. In those cases in which the (~~licencing~~ authority is empowered to grant permits ~~and~~ insist on the permit holders making a deposit ~~or~~ not exceeding Rs.1000/- for each service. These deposits may, under the orders of the Board, be forfeited or otherwise drawn upon when the permit-holder fails to provide regular and efficient services or in cases of breach of rules and conditions of the permit.

(ii) Permit-holders shall maintain, on a scale fixed by the Board, additional vehicles as spares for the running of relief services in cases of break-down of the vehicles used on the regular service or in other emergencies.

(iii) For services other than inter-provincial services, preference should be given to the subjects of His Highness the Maharaja by birth or domicile.

(iv) Other things being equal, preference should be given to the existing permit-holders as against new-comers.

(v) Preference should be given to permit-holders who have made an adequate provision for running repairs and for garage accommodation.

(vi) In the selection of permit-holders for services on through and local routes, preference should be given

whenever the Department applies for permit, for providing motor bus services on such roads.

(iii) The motor bus services provided by the Railways shall be subject to all the rules and regulations applicable to other such service

(iv) The Railway Department shall pr vide on these routes the number services with the frequency and to the schedule or timings aprove by the Board.

(v) The monopoly shall not apply in respect of the portions of such roads as form part of the route which other motor bus services have to traverse when plying between places lying outside the said roads competing with Railways, or between a place on such road and a place outside such roads or between two places situated on ~~the~~ such road, but connected by a road other than the said road competing with the Railways. Permits may be grante for services on such portions of the said competing roads, subject to such special conditions with regard to fares, picking up and setting do of passengers in the portions forming part of the said road ~~competin with Railways~~, as the Board may think fit to impose from time t time.

Permits to operators other than the Railway Department on roads competing with the Railways.

(vi) When on such roads the Railway Department is not granted the exclusive option of providing motor bus services, permits for bus services may be granted to other ~~operators~~ persons. It shall be a condition of such permits that they may not be renewed on the expiry of the period for which the permits are granted, if at that time it is considered necessary by the Board to grant a monopoly to the Railway Department.

Special conditions attached to permits for ~~operators~~ permit-holders other than Railways on Roads competing with Railways.-

32-25. The Board may attach to permits granted in respect of services on such roads to persons other than the ~~State~~ Railway Department, such other conditions as they may think fit for securing ~~that~~ that

(a) the fares shall not be unreasonable;

(b) where desirable in the public interest the fares shall be so fixed as to prevent wasteful competition with the Railway along the route or any part thereof or in proximity thereto

(c) the time-table fixed for the motor bus services may be such as to allow a reasonable interval of time between the timings of trains and between those of the motor buses ~~and any other~~ (etc) conditions which the Board may consider necessary to avoid unnecessary and wasteful competion.

Applications for Permits.

33.(1) Permit-holders for the provision of motor bus services on all other roads may be selected by the -- prescribed authority by a process of selection from amongst suitable -- applicants.

(2) Subject to such exceptions as the Board may make from time to time the Board in the case of Through Routes and the District Magistrates in the cas of Local Routes, shall call for applica tions by a notice published in the -- official Gazette.

34. Every person desirous of obtaining a permit under these rules shall present a written application to the District Magistrate indicated in Rule 3 above.

The District Magistrate shall refer applications for permits on -- Through Routes to the Board with such recommendations as he may deem fit to make.

35. Every such application shall contain particulars of the type or type of vehicles to be used, and of the service proposed to be operated and the Board may, for the purpose of such applications, prescribe a form of -- application for the entry of such other particulars as may in their opinion be required.

Monopoly of services on Roads other than those competing with Railways.

6. It shall be competent for the Board to grant a monopoly for the provision of motor bus services on any route other than that declared as competitive with Railway routes referred to in Rules 31 supra, subject to the following conditions, that is to say

(i) The previous sanction of the Government shall be obtained in each case;

(ii) The mode of selecting the person and the sum of money that is to be paid by him for the grant of monopoly shall be as approved by the Government and may include selection by means of public auction or tender.

(iii) The period for which the monopoly is to be in force shall be as fixed by the Government in each case.

(iv) The monopoly granted may be summarily suspended or revocation terminated at any time ~~on a month's notice~~ (see) if the person holding the monopoly fails to act up to the conditions on which the monopoly is granted or fails to provide efficient, regular and satisfactory service or for breach of rules or conditions prescribed or for any other cause or failure deemed sufficient by the Board,

Provided that the said monopoly shall not be revoked or terminated unless

the Board ~~are~~ is satisfied after giving the person concerned an opportunity of being heard that the permit should be revoked ~~or suspended~~ or terminated

(iv) The decision of the Board in this matter and also with regard to the refund or otherwise of any portion of the sum paid for the monopoly shall be final.

(vi) The holder of a monopoly shall provide motor bus services to the timings and frequency prescribed by the Board from time to time. He shall also be subject to the rules and regulations applicable to motor bus services generally, under these rules and under orders that may be issued from time to time.

Short term Permits.-

30.(1) Short term permits for motor buses ~~for casual trips or during feasts fairs and other such like special occasions~~ of a duration not exceeding seven days may be granted by the District Magistrates on all roads within the limits of their District except those on which a monopoly has been given to the Railway Department or any other person.

(2) Permits for ~~other than casual trips or during feasts, fairs and other such like special occasions lasting~~ for more than seven days shall be granted by the same authority in the same manner and subject to the same conditions as those prescribed under these rules for the grant of permits for ordinary motor bus services on such roads.

(3) In granting short term permits ~~for other than casual trips~~ for motor bus services ~~during feasts, fairs and other such like special occasions~~ on roads declared to be competing with Railways in respect of ~~this~~ their traffic, the authority shall take into consideration the additional ~~such~~ train services provided by the Railway Department and grant permits only to the extent necessary to supplement Railway Service in the public interest.

(4) In the selection of ~~permit~~ holders for ~~special services~~ short term permits, during fairs, feasts and other such like special

occasions, preference may be given to those who hold permits for providing regular motor bus services on such routes.

(5) The fares to be charged by such ~~special~~ services shall be not less than the ~~same as those~~ prescribed for regular services on the route.

MOTOR BUSES -- DRIVERS AND CONDUCTORS.

Conducters of Motor Vehicles. -

38 (1) Every motor bus shall, besides a driver, carry a conductor whose duty shall, in addition to any specially mentioned, be to attend on the passengers and to see to the fulfilment of ~~the Motor Vehicles~~ these and motor vehicles Rules in all cases where the driver is not held responsible according to law.

39 (2) No person under the age of eighteen years shall act as a conductor of a motor bus in any public place.

40(3) (i) No person shall act as a conductor of a motor bus unless he has a written authority in the form hereinafte mentioned signed by the proprietor and countersigned by the licensing authority

(ii) The written authority shall be in Form annexed to these rules and -- shall be obtained from the licensing -- authority on payment of a fee of 1 Rupee. A photograph of the conductor shall be affixed to the space provided for the pur pose in Form and it shall be sealed in such a way as to prevent fraudulent -- substitution.

(iii) Where for any reason, the counter-signature of the licensing autho rity to the written authority referred to in sub-rule (i) cannot be obtained on the day it is submitted to him for the purpose the proprietor of the motor bus may issue to the person to whom such written autho rity relates, a temporary written auth

countersigned by any Police Officer not below the rank of Inspector or any Bus Inspector. Such Officer shall not countersign the temporary written authority unless he is satisfied that the written authority referred to in sub-rule (i) has been submitted to the licensing authority and could not be received back after counter-signature on the day it was so submitted. Such temporary written authority shall, subject to the condition contained in sub-rule (iv), entitle the person to whom it relates to act as conductor until the written authority submitted to the licensing authority for counter-signature is received back.

(iv) The conductor shall always retain the written authority referred to in sub-rule (i) above with him while on duty and shall exhibit it on demand to any police-officer or to any Magistrate ~~of or above the second class~~ or to any officer of the Road Traffic Board.

(v) Any court ~~by~~ which convicts a conductor ~~is convicted~~ of an offence against the provisions of the ~~Indian~~ Mysore Motor Vehicles Regulation, the Road Traffic and Taxation Regulation ~~Act~~, 1914, or the rules made thereunder shall cause particulars of the conviction to be endorsed in the permit of the ~~Form~~ authority.

(vi) A conductor's ~~pass~~ grant in accordance with any rule in force for the time being in any part of the Madras Presidency shall be valid in Mysore until the date of its expiry.

of a motor bus

41 A conductor, when acting as such,

(a) shall not, when the vehicle is in motion, distract the driver's attention without reasonable cause or speak to him unless it is necessary to do so in order to give directions as to the stopping of the vehicle;

(b) shall take all reasonable precautions to ensure that every means provided for indicating the route, fares and destination of the vehicle are clearly and correctly displayed;

(c) shall to the best of his ability take steps whenever necessary to enforce the provisions of these Rules ~~Regulations~~ relating to the conduct of passengers.

42 A driver of a motor bus when acting as such,

(a) shall, when picking up or setting down passengers, stop the vehicle as close as may be to the left or near side of the road;

(b) shall not cause the vehicle to remain stationary on a road longer than is reasonably necessary to pick up or set down passengers except at a stand or place where such vehicles are permitted to stop for a longer time ~~than is necessary for that purpose~~.

43 A conductor of a motor bus, when acting as such, shall not, except for sufficient reason, by failing to signal to the driver to start, cause the vehicle to remain stationary on a road longer than is reasonably necessary to pick up or set down passengers except at a stand or place where the vehicle is permitted to stop for a longer time ~~than is necessary for that purpose.~~

43. ~~(1)~~ Every driver and conductor of ~~a motor~~ every a motor bus and ~~all drivers of taxis~~ shall be properly dressed, while on duty in clean uniform of the following description:-

Drivers: Khaki trousers or shorts and Khaki closed coats with five buttons and a cap or turban.

Conductors: Khaki shirts or coats, Khaki shorts and cap.

44 ~~(5)~~ The driver of a bus shall wear in a conspicuous place on his left breast a numbered badge supplied to him by the District Superintendent of Police on payment of a fee of Re.1/-.

45 The proprietor shall surrender such badge on the ~~"T"~~ permit for the Vehicle being suspended or cancelled or becoming time-expired. If the badge is lost or not returned, the proprietor shall be liable to pay a charge of one rupee to the -- District Superintendent of Police.

~~(6)~~ (6) No person shall drive nor cause or permit any person employed by him or subject to his orders to drive a motor bus (i) for any continuous period of more than six hours or for (ii) ~~continuous~~ continuous periods amounting in the aggregate to more than 11 hours in any period of 24 hours Calculated from midnight, provided that

~~a rest of at least two~~ ~~consecutive hours~~ or (iii) a total interval of rest of not at least two consecutive hours for rest in any period of 24 hours calculated from the commencement of any period of driving.

(7) Every motor bus plying for hire shall run in accordance with such schedule of timings ~~(if any)~~ as may from time to time be prescribed by the authority granting the permit. If at any time,

owing to accident or other cause the on any day
vehicle does not run or keep to the and communicate then three hours later
timings, a report shall forthwith be
made to the District Police authority,

49(8) No permit issued under these rules shall entitle the permit-holder to claim compensation for being prevented from using the motor vehicle on roads and bridges which, during the currency of the permit, may be ordered by a duly constituted authority to be closed to motor traffic for repairs or for other purposes.

49(9) 1. In the case of every motor bus the name of the place of destination of the vehicle for the particular trip shall be exhibited on boards in conspicuous places to the front and rear of the vehicle.

(ii) Such name shall be--

(a) in English and in Kannada

(b) painted on black ground in white letters not less than 2 inches high and of proportionate thickness

(c) Clearly visible and unobstructed by car equipment or otherwise, and

(d) illuminated by a white light or lights so constructed and placed and so efficient as to render the letters easily distinguishable between half an hour after sunset and half an hour before sunrise.

the authority as may be fixed by the Board from time to

(iii)(a) The conductor of the bus shall be held responsible for the observance of this rule.

(b) The liability of the registered owner of the vehicle for the breach of this rule shall, when he is not in the vehicle at the time of the breach, be confined to non-provision of the boards and lights and of the articles and oil necessary for the lighting of such lights.

(c) No motor bus in respect of which a permit has been obtained shall be employed for private purposes within the area or areas to which such permit ~~or such permits~~ relate, without a special permit in Form ... annexed to these rules and except in accordance with the conditions specified therein. The said permit shall be granted by the authority which granted the original permit, ~~or an authority which granted any of the "C" permits as the case may be.~~)

(ii) Even when a motor bus is used for private purposes in any area for which it holds the permit, all the conditions except those relating to carrying of passengers who tender proper ~~pass~~ fare shall apply to it. (iii) When the motor vehicle passes into any area for which no permit has been obtained and is in use in such area for private purposes ~~only~~ the conditions of the permit shall not apply thereto and the certifi[illegible]

of registration granted to the vehicle shall be sufficient. In every case in which a motor bus is performing a casual journey for private purposes,, it shall exhibit a board or placard bearing the word "Private" painted in English in ~~which~~ letters at least 6 inches long on a red background.

(Private)

Explanation:- In this rule the term "private purposes" shall apply to the use of the vehicle by the owner for his personal ~~with his book~~ and not for the use of the vehicle for the carriage of persons for hire or reward.

52 The Drivers of motor cabs at motor cab stands in the limits of a City shall observe the following rules:

(1) The drivers of the first two motor-cabs on the stand must stay beside their cabs and must be ready to be hired at once by any person provided that a hirer wishing to hire any particular cab on the stand may do so.

(2) All motor-cabs on the stand must move up as vacancies occur.

(3) No motor-cab engaged for some future time shall remain on the stand unless the driver is willing to accept any intermediate hiring that may be offered.

(4) No disabled motor-cab shall remain on the stand unless such disablement is strictly temporary, and can be and is remedied at once.

53 No driver of a motor-cab plying for hire in the limits of a City Municipality shall

(a) be drunk during his employment;

(b) make use of insulting or abusive language or gesture

(c) stand (elsewhere than at some stand or other place appointed for the purpose) or loiter for the purpose of being hired, in or upon any public street or road, or place;

(d) refuse to give way (when he reasonably and conveniently may do so) to any other vehicle;

(e) wilfully obstruct or hinder the driver of any other motor cab in taking up or setting down any person into or from such other motor-cab;

(f) wrongfully prevent, or intend to prevent, the driver of any other motor cab from being hired;

(g) demand more than the proper fare to which he is legally entitled;

(h) before he has been dischafged by the hirer, desert from the hiring;

(i) ply for hire with any motor cab which is at the time unfit for public use; or

(j) shout in order to attract the attention of the public or of a possible hirer or, for any other reason act in such a way as to cause inconvenience or annoyance to the public.

54 The driver of motor cabs shall while on duty as such appear in clean uniform of the following description:-

Khaki trousers or shorts and Khaki closed coats with 5 buttons and a cap or turban.

Validity of motor permits for cabs

55. Ordinary permits for motor cab shall be valid throughout the state except in the case of ~~licenses~~ permits for short term or special or short term permits which are ~~granted, in which case~~ shall be valid in the area and for the period specified in such permits.

Rules
~~Regulation~~ regarding the conduct of Passengers.

56 When a public service vehicle is carrying passengers or waiting to pick up passengers, a passenger or intending passenger shall not

(i) use obscene or offensive language or conduct himself in a riotous or disorderly manner;

ii) enter or alight from the vehicle otherwise than by the doors or openings provided for the purpose;

(iii) when entering or attempting to enter the vehicle wilfully and unreasonably impede passengers seeking to enter the vehicle or to alight therefrom;

(iv) enter or remain in or on the vehicle when requested not do so by an authorised person on the ground that the vehicle is carrying its full complement of passengers or that the operator is debarred from picking up passengers at the place in question by reason of the conditions attached to his ~~road service licence~~; permit.

(v) travel in ~~or on the upper deck of~~ the vehicle unless he occupies a seat provided for that purpose, or in or on any part of the vehicle not provided for the conveyance of passengers;

(vi) wilfully do or cause to be done with respect to any part of the vehicle or its equipment anything which is calcu-re-lated to obstruct or interfere with the working of the vehicle or to cause injury or discomfort to any person;

(vii) when the vehicle is in motion distract the driver's attention without reasonable cause or speak to him unless it is necessary to do so in order to give directions as to the stopping of the -- vehicle;

(viii) give any signal which might be interpreted by the driver as a signal from ~~xxwikfukky~~ the conductor to start;

(ix) spit upon or from or wilfully damage, soil or defile any part of the vehicle;

(x) when in or on the vehicle distribute printed or similar matter of any description or distribute any article for the purpose of advertising;

(xi) wilfully remove, displace, deface or alter any number plate, notice board, fare table, route indicator, or destinatio board or any printed or other notice or advertisement in or on the vehicle;

(xii) when in or on the vehicle to the annoyance of other persons use or operate any noisy instrument or make or combine with other any/person or persons to make any excessiv

noise by singing, shouting or otherwise;

(xiii) when in or on the vehicle throw any money to be scrambled for by any person on the road or footway; or throw out of the vehicle any bottle liquid or litter or any article or thing likely to annoy persons or to cause danger or injury to any person or property;

(xiv) throw any article from the vehicle or attach to or trail from the vehicle any streamer, balloon, flag or other article in such manner as to overhang the road;

(xv) wilfully obstruct or impede any authorised person;

(xvi) except in the case of a motor cab, smoke or carry a lighted pipe, cigar or cigarette in or on any part of the vehicle in or on which a notice is exhibited that smoking is prohibited;

(xvii) except in the case of a motor cab when in or on the vehicle beg, sell or offer for sale any article.

57 When a motor bus is carrying passengers, or is waiting to pick up passengers, a passenger or intending passenger shall not

(a) if his condition is such as to be offensive to passengers, or the condition of his dress or clothing is such

that it may reasonably be expected to soil or injure the linings or cushions of the vehicle or the clothing of other passengers, enter or remain in or on the vehicle after an authorised person shall have requested him either not to enter or to leave the vehicle and in such latter case shall have tendered to him the amount of any fare previously paid;

(b) enter or travel in or on a vehicle with loaded firearms, or any dangerous or offensive article or, except with the consent of an authorised person, bring into or on to the vehicle any bulky or cumbersome article or place any such article elsewhere in or on the vehicle than as directed by an authorised person;

(c) bring any animal into or on to the vehicle without the consent of an authorised person or retain any animal in or on the vehicle after being requested by an authorised person to remove it or place any animal elsewhere in or on the vehicle than as directed by an authorised person.

58 (1) No passenger on a motor bus shall use or attempt to use any ticket which has been

(i) altered or defaced, or

(ii) issued to another person, if such ticket bears thereon an indication that it is not transferable.

(b) Every passenger on a motor bus shall

(i) unless he is the holder of a ticket in respect of that journey, immediately upon demand, or, if no demand has been made, before leaving the vehicle, declare the journey he intends to take or has taken and pay the conductor the fare for the whole of such journey and accept the ticket provided therefor;

(ii) if requested by the conductor, leave the vehicle on completion of the journey the fare for which he has paid;

(iii) show his ticket, if any, when required to do so by any authorised person, or, if he fails so to show his ticket, pay the fare for the journey taken or to be taken by him;

(iv) if required to do so surrender his ticket to any authorised person at the end of the journey covered by that ticket;

(v) if required to do so surrender any period or season ticket held by him at the expiry of the period for which it was issued to him;

(vi) if required to do so surrender any ticket held by him either on completion of the journey or journeys covered by that ticket or in exchange for a new ticket covering the journey or journeys he is still entitled to take.

(b) Every passenger on a motor bus shall

(i) unless he is the holder of a ticket in respect of that journey, immediately upon demand, or, if no demand has been made, before leaving the vehicle, declare the journey he intends to take or has taken and pay the conductor the fare for the whole of such journey and accept the ticket provided therefor;

(ii) if requested by the conductor, leave the vehicle on completion of the journey the fare for which he has paid;

(iii) show his ticket, if any, when required to do so by any authorised person, or, if he fails so to show his ticket, pay the fare for the journey taken or to be taken by him;

(iv) if required to do so surrender his ticket to any authorised person at the end of the journey covered by that ticket;

(v) if required to do so surrender any period or season ticket held by him at the expiry of the period for which it was issued to him;

(vi) if required to do so surrender any ticket held by him either on completion of the journey or journeys covered by that ticket or in exchange for a new ticket covering the journey or journeys he is still entitled to take.

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(i) unless he is the holder of a ticket in respect of that journey, immediately upon demand, or, if no demand has been made, before leaving the vehicle, declare the journey he intends to take or has taken and pay the conductor the fare for the whole of such journey and accept the ticket provided therefor;

(ii) if requested by the conductor leave the vehicle on completion of the journey the fare for which he has paid;

(iii) show his ticket, if any, when required to do so by any authorised person, or, if he fails so to show his ticket, pay the fare for the journey taken or to be taken by him;

(iv) if required to do so surrender his ticket to any authorised person at the end of the journey covered by that ticket;

(v) if required to do so surrender any period or season ticket held by him at the expiry of the period for which it was issued to him;

(vi) if required to do so surrender any ticket held by him either on completion of the journey or journeys covered by that ticket or in exchange for a new ticket covering the journey or journeys he is still entitled to take.

Rules relating to

~~PERMITS FOR~~ PUBLIC SERVICE MOTOR LORRIES.

Permits for motor lorries

59 (1) Permits for public service motor lorries shall be granted by the District Magistrates in respect of lorries to be let or plied for hire or reward within the limits of this District.

(2) Applications for permits for lorries to let or ply for hire or reward in more than one District shall be referred to the Traffic Board and permits issued on the advice of the Board. The same procedure as that prescribed for the issue and grant of permits for motor bus services in Rule 27 above shall, as far as it is applicable to motor lorries be followed in this case also.

by the Dist. Mag (reference to) in rule 3 above

so far as it is applicable to moter lorries be

liability of lorry moter lorries to tolls)

60. (i) The Bridges and the roads specified in Schedule V of the Road Traffic and Taxes Regulation and bridges and roads to be constructed hereafter shall not be included in the area permitted for such lorries. Such lorries should pay tolls while passing such roads and or bridges.

toll gates established

(ii) The Board may by notification in the official Gazette fix from time to time the roads competing with Railways on which lorries let or plied for hire shall be liable to tolls. On the issue of such a notification motor lorries let or plied for hire shall be subject to tolls on such roads notwithstanding any condition to the contrary in the permit granted to the vehicle

Validity of permits for public service motor lorries

61.A(5) Ordinary permits for public service motor lorries shall cover casual outward and home journeys through any of the Districts of the State subject to the following conditions:-

(i) In the area beyond that specified in the permit, the lorry shall be liable to tolls.

(ii) Such casual trips shall be done only when the lorry is let for hire to any person on the outward or home journey as a contract carriage that is, for an amount agreed or specified for the use of the vehicle as a whole for that journey.

(iii) The lorry shall not be let or plied for hire for any purpose save that specified in sub.rule ii above in the area beyond that for which the lorry holds the permit.

61.B. Short term and special permits shall be valid only for the routes or the area and for the period specified in such permit.

62 The authority empowered to grant permits under these rules may attach to such permits special conditions it may deem necessary to prevent uneconomic or wasteful competition on Roads competing with Railways. Such special conditions may include among other conditions the following:-

(a) a condition that only specified classes of goods shall be carried on roads specified therein.,

(b) a condition that specified classes of goods shall not be carried on such roads,

(c) a condition that rates lower than the amount specified shall not be charged on such routes.

63. No lorry other than that for which a permit has been granted for the carriage of passengers and goods for hire or reward shall carry any passengers for hire or reward.

64. To a motor lorry holding a permit for the carriage of passengers and of goods, all the rules applicable to a motor bus shall apply, in so far as its carriage of the said passengers is concerned and all the rates applicable to a motor lorry in so far as the carriage of goods for the said purpose is concerned.

65. No motor lorry let or plied for hire shall carry persons except as specified below that is to say

(a) Not more than 4 persons including the driver shall normally be carried on a lorry.

(b) Such persons shall not be carried in any place on the lorry other than that set apart for the accommodation of person

(c) No persons other than the members of the family of the owner, or his workmen or labourers shall be so carried.

(d) In those cases in which it is, on account of the nature of the particul

business, necessary for a larger number to be taken by the motor lorry, a special written authority authorising the Driver to carry the specified number of people should be issued by the owner of the vehicle. This authority must be carried by the Driver and be available for inspection by any police constable or other authorised officer.

(e) In cases referred to in the foregoing sub-rule, the owner of the vehicle shall make proper arrangements for the seating of the persons. Such persons not be seated on packages or goods loaded on the lorry.

(f) In all cases in which it is necessary for the permit holder to carry more than 4 persons, otherwise than casually, as prescribed in rule (d) and (e), the approval of the authority granting the permit shall be obtained. This approval shall be granted subject to such conditions, to be specified in the permit as the said authority may deem fit to impose.

Rule re.

CONSTRUCTION & ~~ERECTION~~ Equipment of public service motor vehicles carrying passengers.

Special rule applicable to Public Service Motor Vehicles carrying passengers

66 The steering arms and other connections shall be of ample strength and shall be adequately protected by front bumpers from damage by collision.

67 Carburettors or other petrol receptacles, unless they are suitably encased or screened, shall not be in close proximity to the magneto or to wires or other connections carrying electric current.

68 Except in electric batteries no celluloid or xylonite shall be used inside or outside any public service vehicle.

69 When a guard tray or under shield is fixed beneath the engine and adjacent machinery, it shall be so constructed that no petrol shall be retained thereon.

70 All moving parts and all parts subject to severe vibration fixed or connected by bolts or studs and nuts must be fastened by lock nuts, or by nut together with efficient spring or lock-nut washers/or by castellated nuts together with split pins or otherwise in such a manner as to prevent their working or becoming loose.

Subject to such exceptions as may be made by the Government from time to time,

every motor bus shall, on and from a date to be notified in the official Gazette in this behalf, be fitted with an efficient speed governor of a pattern conforming to the general or special orders of the Government as notified from time to time in the official -- Gazette, so so designed and arranged as to prevent the motor bus from being driven on a level road at a rate of speed exceeding that at which the governor may be set, and capable of being sealed in such a way that its operation cannot be altered or adjusted so long as the seal remains unbroken.

72 The speed governor fitted to every motor bus shall at all times be so set and sealed so as to prevent the said bus from being driven at a speed in excess of that prescribed in Rule ( ) of these rules.

73 The following particulars shall be legibly painted or otherwise exhibited in a conspicuous place on every motor bus, namely--

(a) the registered laden weight;

(b) the registered seating capac

(c) the maximum speed permissibl

(d) the name and address of the registered owner.

74 Suitable means approved by the Board for extinguishing a petrol fi shall be carried in such a position

to be be readily available for use.

76 All wires carrying electric -- current shall be properly insulated and protected from injury and so placed that they cannot be a cause of danger.

76 Where acetylene or other gas is used to light the vehicle, the cylinders or vessels which contain the gas, or in which it is generated, shall be fixed outside in such a manner as in the -- opinion of the authority granting the permit, to eliminate, as far as may reasonably be possible, the danger of accidental ignition.

77. Every public service vehicle shall be fitted with pneumatic tyres.

78 There shall be carried on every public service motor vehicle, spare tyres properly inflated on a rim or wheel, which can be quickly fitted to the vehicle, as follows;-

(i)	on every motor cab and public service motor Lorry.	not less than one.
(ii)	on every motor bus.	not less than two.

79 No public service motor vehicle shall be driven and controlled from the left hand side of the vehicle.

30 Upon every public service motor vehicle, sufficient roomshall be reserved for the driver to allow him adequate and sufficient space for the performance of his duties and, in particular, in the case of a motor bus the space reserved shall be as follows:- namely,--

(1) the back of the driver's seat shall be not less than 13½ inches distant from the nearest point on the steering wheel;

(2) the width of the space reserved for the driver shall be measured from a line drawn through the centre of the steering column parallel with the axis of the vehicle and shall extend on the left to a point not less than 18 inchesfrom that line and on the right to the extremity of the vehicle;

(3) this space shall be partitioned off upon the seat of the vehicle by a partition not less than 9 inches high; and

(4) within the space reserved for the driver as aforesaid, nothing shall be placed between the back of the driver's seat and the forward extremity of the space available.

31 In the case of a motor bus having a

roof or hood the height measured at any point on the centre line of the vehicle from the top of the floor battens of the lower deck to the lower edge of the roof supports or hood sticks or other such projections, shall not be less than four feet and six inches or more than 6 feet.

§2 The overall width of a motor bus shall not exceed that of the rear wheel track by more than 2 feet and shall in no case exceed 7'6", nor shall the body project beyond the rear wheel track by more than one foot at either side.

§3 In every motor bus, not less than fifteen inches measured in a straight line along the length of the front of each seat shall be allowed for each passenger, and the seat shall be convenient and reasonably comfortable; and

(a) when the seats are placed along the vehicle, the backs of the seats on one side shall be at least fifty-four inches from the backs of the seats on the other side of the vehicle;

(b) when the seats are placed across the vehicle and are facing the same direction, there shall be a clear space of not less than eleven inches between the back of one seat and the front of the seat behind; and

(c) when seats are placed across the vehicle and are facing each other there shall be a clear space of not less the nineteen inches between the fronts of facing seats.

84 In every closed motor bus having entrance from the rear there shall be a gangway along the centre, and

(a) where seats are placed along the sides of the vehicle the shall be as gangway a clear space of not less than twenty four inches measured between the fronts of the seats; and

(b) where seats are placed across the vehicle there shall be as gangway a clear space of not less than fourteen inches between the sides of the -- seats.

Every motor bus shall be provided with adequate means of ventilation when the main windows are closed.

86 Every motor bus shall be provided with efficient means to enable passengers to signal to or attract the attention of the driver or conductor.

87 Every motor bus shall be fitted with at least one top light to illuminate adequately the interior of the passenger compartment. Such light

shall be under the control of the driver.

§ The body of every public service vehicle shall be so constructed as to satisfy the authority empowered to grant the permit of the strength of the construction.

Applicable to all motor lorries.

89 (a) Every motor lorry shall be fitted with an efficient speed governor of a pattern conforming to the general or special orders of Government as notified from time to time in the official Gazette so designed and arranged as to prevent the motor lorry from being driven on a level road at a speed in excess of that at which the governor may be set, and capable of being sealed in such a way that its -- operation cannot be altered or adjusted so long as the seal remains unbroken.

(b) The speed governor fitted to a motor lorry shall at all times be so set and sealed as to prevent the motor lorry from being driven at a speed in excess of that prescribed ~~of~~ by these rules.

90 The overall width of a motor lorry shall not exceed the track of the rear wheels by more than two feet or be more than seven feet and six inches whichever is less.

91 The length of a motor lorry shall not be more than twenty-seven feet and six inches in the case of a four-wheeled vehicle or more than thirty feet in the case of a rigid frame six-wheeled vehicle.

Provided that if the motor lorry draws a trailer the weight of which is so partially imposed upon the motor lorry that the axle weight of the rear axle of

the motor lorry exceeds the axle weight of the trailer, the length of the motor lorry and the said trailer together shall not be more than thirty-three fee

92 The following particulars shall be legibly painted or otherwise exhibited in a conspicuous place upon every motor lorry, namely--

(a) The registered laden weight.

(b) The registered axle weight.

(c) The maximum speed permissible.

(d) The name and address of the registered owner.

A P P E A L S.

93 Any person who,

(a) being an applicant for the grant of or variation of the conditions attached to a permit is aggrieved by the decision of the authority empowered to grant permits on such application or by any special condition attached to the permit.

(b) being already the holder of an ordinary permit for the provision of motor bus services is aggrieved by the grant of additional permits on the road for new motor bus -- services,

(c) being the holder of a permit is aggrieved by the revocation or suspension thereof

may appeal to the Appellate Commission constituted under these rules.

94 The Appeal should be preferred within one month from the date of the Order -- appealed against, provided that the Appellate Commission may in cases in which it considers fit relax the time limit.

95 Either the Chairman of the Board or any Committee of 3 members of the Board specially appointed by the Chairmen for this purpose shall constitute the Appellate

Commission for the purpose of hearing any appeal preferred under the foregoing rule.

96 The Chairman of the Board may make rules governing the procedure of the Appellate Commission. Such rules may provide that an appellant shall be entitle to be heard in person in support of his appeal or by counsel, Solicitor or Agent.

97 The Appellate Commission, when it consists of the Committee appointed by the Chairman, shall not exercise its -- jurisdiction unless by the full number of its members. The decision of the Appellate Commission in such cases shall be by majority.

98 The decision of the Appellate Commission shall be final.

Appendix F G—1

SUBJECT.....

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Section Legs

File No. A6-35

Serial No.

No. P. 3445—53

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

To

The I. G. P. and D.cs of Odds

Date of issue 27-11-35

Signed by W. H. Ramgachar

Sir,

I am directed to invite your kind reference to Govt notification no P. 3355 of 20. 11. 1935 published on page 426 of part IV of the Mys. Gaz of 21. 11. 35, notifying draft rules regarding public service motor vehicles and to request you to be so good as to forward your suggestions which you may deem fit in respect of the said rules for the consideration of Govt so as to reach the undersigned before the 12th of Dec 1935

Thanking

for Secy

List of enclosures.....

Copied by.....

Examined by.....

WD 0399—GPB—20,000—18-9-28

GOVERN ENT OF HIS HIGHNESS THE AHARAJA OF YSORE.

No. P 3445-53. Legislation-37

General and Revenue Secretariat,

Dated Bangalore, 27th Novr. *193*

FROM

The Secretary to the Government of
His Highness the Maharaja of Mysore.
General Department.

To

The Inspector General of Police
and the Deputy Commissioners
of Districts.

SIR,

I am directed to invite your kind reference to Gov[illegible] notification No. .3365 dated 20th November 1935 published on page 49 of Part IV of the Mysore Gazette dated 21st November 1935, notifying draft rules regarding public service motor vehicles and to request you to be so good as to forward your suggestions in respect of the said rules for the consideration of Government. It is to reach this Secretariat before the 12th December 1936.

I have the honour to be,

Sir,

Your most obedient servant,

[illegible] SECRETARY TO GOVERNMENT.

Appendix F G—1]

SUBJECT.....

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Section Legis

File No. 46–35

Serial No. 47

Diary No. of letter replied to.....

No. p 3992 Notification

To

General and Revenue Secretariat

( )

the *193*

In exercise of the powers conferred upon them by Section 11 of the Mysore Motor Vehicles Regln 1928 and Sections 5 and 23 (3) of the Mys. Rd. Traffic & Taxes Regln VI of 1935, the Govt of H.H. the Maharaja are pleased to issue the following Rules regarding public service motor vehicles, the draft rules in the said behalf having been notified with notifn no p 3355/Legis 46–35 of 20.11.35 and published at page 426 in part IV of the Mysore Gaz of 21.st Nov 1935

Date of issue.....18.12.35.....

Signed by M. H. Ranganathan

These rules were come into force from 1st Jan 1936

List of enclosures.....

From the date of coming into force of these Rules, Rules 27 to 30 B, both inclusive of the motor Vehicles Rules 1924

Copied by .....

Examined by.....

NOTIFICATION.

No. P. 3992—Legis. 46-35, dated Bangalore, 18th December 1935.

In exercise of the powers conferred upon them by Section 11 of the Mysore Motor Vehicles Regulation, 1928, and Sections 5 and 23 of the Mysore Road Traffic and Taxes Regulation VI of 1935, the Government of His Highness the Maharaja are pleased to issue the following rules regarding public service motor vehicles, the draft rules in the said behalf having been notified with Notification No. P. 3355—Legis. 46-35, dated 20th November 1935, and published at page 426 in Part IV of the *Mysore Gazette*, dated 21st November 1935. These rules will come into force from the 1st January 1936.

From the date of coming into force of these rules, rules 27 to 30 B, both inclusive, of the Motor Vehicles Rules, 1924, issued with Notification No. P. 3015—Legis. 21-22-10, dated 12th December 1924, as amended from time to time shall be of no effect.

By Order,
M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

RULES REGARDING PUBLIC SERVICE MOTOR VEHICLES.

Rules applicable to all classes of such vehicles.

1. These rules may be called the Public Service Motor Vehicles Rules, 1935.

Permits for public service motor vehicles.

2. No person shall drive nor shall any registered owner allow to be driven on any public road a public service motor vehicle unless—

(*a*) a permit has been issued by the authority empowered under these rules in respect of such vehicle in form 1, or form 2, or form 3 of Appendix as the case may be, or

(*b*) a valid permit issued by some other authority in respect of such vehicle has been endorsed by the competent authority, and

) the vehicle complies in all respects with the registration certificate, the permit and the provisions of these rules,

provided that no person shall be liable for a breach of this rule in respect of any public service motor vehicle which is being taken from one place to another for the purpose of registration or of obtaining the permit or of being repaired so long as it is not carrying passengers or goods for hire or reward.

Classes of permits.

3. (i) Permits for public service motor vehicles shall be of the following classes :—

(i) Ordinary permits.
(ii) Short-term permits.
(iii) Special permits.

(ii) Ordinary permits shall enable the holder to let or ply his vehicle for hire for the carriage of passengers or goods as the case may be as part of a regular service.

(iii) With a view to enabling vehicles to be used temporarily for periods of a limited duration during feasts, fairs and other such like special occasions or for the purposes of a seasonal business, short-term permits may be granted for periods not exceeding one month at a time or three months in the aggregate during an official year.

(iv) Special permits shall entitle the holder to use the vehicle for the carriage of persons or goods or persons and goods for hire or reward for a casual outward and home journey or for the purpose of the execution of a particular piece of work. The duration of such permits shall not exceed the period of 15 days in any quarter.

Applications for permits.

4. (i) Applications for ordinary, short-term and special permits for the use of the vehicle within the limits of a district shall be made to the District Magistrate of the District.

(ii) Applications for ordinary, short-term and special permits for the use of the vehicle in more than one district shall be made to the District Magistrate of the District in which the owner resides or carries on the business in respect of which the vehicle is used.

(iii) Applications for permission from persons not residing in Mysore and not falling in the sub-clauses (i) and (ii) above shall be made to the District Magistrate of the District, through the limits of which such vehicle has to pass first immediately on its entering the limits of the State.

5. The authority empowered by these rules to grant permits may attach to such permits such additional special conditions as it may think fit with respect to the matters to which it is required to have regard under the Mysore Motor Vehicles Regulation and the Mysore Road Traffic and Taxes Regulation and these rules and in particular in regard to the time-table and frequency of the service, picking up and setting down of passengers along the whole route or part thereof, fares or rates to be charged or the class of goods to be carried. The said conditions may be varied by such authority from time to time at its discretion. These special conditions shall be binding on the permit-holders as though they were conditions prescribed under these rules. Special conditions of the permit.

6. (i) The permit referred to in rule 2 may be refused or if it has already been granted, or endorsed, may at any time be suspended or revoked by the authority by whom it was so granted or endorsed if, having regard to the conduct of the applicant or the holder of the permit, as the case may be, or to the manner in which the vehicle is being used it appears to the authority that he is not a fit person to hold such a permit. Suspension and cancellation of permits.

(ii) Every permit issued or endorsed under these rules is also liable to cancellation or suspension by the Board or the officer granting the permit as the case may be in the following circumstances :—

(*a*) In the event of an offence against the provisions of the Mysore Motor Vehicles Regulation and the Mysore Road Traffic and Taxes Regulation or of a breach of these rules committed by the holder of the permit or committed in respect of public service motor vehicles authorised to ply under such permit, or

(*b*) In the event of failure, without reasonable cause, on the part of the holder of such permit to operate a public service motor vehicle under the terms of such permit,

Provided that the said revocation or cancellation shall not be made unless the authority empowered to make it is, after giving the person an opportunity of being heard, satisfied that the permit should be revoked or cancelled.

7. The permit-holder shall, immediately on service of the order of the said cancellation or suspension of the permit, return the said permit and any other disc or token Return of permit, on suspension or cancellation.

issued in connection therewith to the authority that originally issued the said permit and the disc or token.

The permit to be carried on the vehicle

8. The permit granted to a public service motor vehicle shall, except when it has been sent to the authority granting it for renewal or alteration or on a requisition by such authority be carried by the driver of the vehicle whenever it is in motion and shall be open to inspection by any Magistrate, Police Officer or an Inspector of motor vehicles appointed under rule 12 or any officer of the Board duly empowered in this behalf. Such officer shall have power to stop the vehicle for the purpose of such inspection.

Transfer of permits.

9. No permit granted under these rules shall be capable of being transferred or assigned.

Issue of duplicate permit.

10. On sufficient cause being shown, it shall be open to the officer issuing the permit to grant a copy of it on payment of a fee of Rs. 5. Such permit shall be clearly marked with the word 'Copy' written in red ink across the permit. Provided that when it is necessary for the permit holder to have more than one permit to comply with rule 8 above, a duplicate permit may be issued at the discretion of the authority granting the permit without any such fee.

Validity of permits.

11. Subject to the conditions prescribed in these rules and the special conditions prescribed in the permit,

(*a*) an ordinary permit shall be valid for the route or the area specified in the said permit and shall, if not otherwise suspended or cancelled under these rules, be valid till the end of the official year unless any other period is specified in the said permit.

(*b*) A short-term or a special permit shall be valid for the route or the area for the period specified in such permits.

Insurance against third party risks.

12. (i) Subject to such exceptions as may be made by Government from time to time in respect of any class of vehicles, no permit shall be issued in respect of any public service motor vehicle unless the registered owner :—

(*a*) has taken out an insurance policy to cover risks to passengers and third parties arising out of the use of the said public service motor vehicle for the duration of the permit, and

(*b*) produces a receipt for the premium paid in respect of such policy to an insurance company approved

by the Government in this behalf by notification in the Official Gazette.

(ii) No person shall drive nor shall any registered owner allow to be driven in any public place any public service motor vehicle in respect of which the insurance policy as aforesaid shall for any cause have ceased to be in force.

(iii) No insurance policy specified in Rule 11 (i) shall be transferred from one registered owner to another save with the approval of the authority granting the permit in respect of the vehicle. The fact of the transfer shall be endorsed by the authority upon the insurance policy. For every such transfer and endorsement a fee of Rs. 5 shall be levied.

NOTE:—This rule shall come into force from such time as may be specially fixed by the Government by a notification in the Official Gazette in this behalf.

Inspection of public service motor vehicles.

13. (i) The Board may by general or special order call upon the registered owner of any public service motor vehicle to produce the said vehicle for inspection by such person and at such time and place as it may specify and the registered owner shall be bound to comply with any such order.

(ii) The Board may by general or special order specify the inspecting authority by whom the permit of any public service vehicle may be summarily suspended pending the execution of repairs to the said vehicle and the said inspecting authority may at any time suspend any such permit and shall in that event take the said permit into his possession and give to the registered owner a receipt for the same and a statement in writing of the reasons for suspension and of the repairs that must be carried out before the said permit may be restored.

(iii) Upon the completion of the repairs required by the inspecting authority under the foregoing rule, the registered owner shall be entitled to call upon the inspecting authority to inspect the vehicle within seven days and shall in that event be bound to produce the said vehicle for inspection at any reasonable time and at any place specified by the inspecting authority.

Trailers.

14 No person shall attach any trailer to any public service motor vehicle carrying persons when in use as such, nor shall any person drive any such vehicle to which

a trailer is attached, except under the written permission of the authority granting the permit.

General duties of drivers and conductors.

15. No driver, conductor or other person in charge of or employed upon any public service vehicle shall, when acting as such,

(*a*) cause or allow any person to be or be seated or anything to be placed within the space reserved or intended for the accommodation of the driver or otherwise in such a way as to hamper or interfere with the driver in his control of the vehicle

(*b*) when both goods and passengers are carried on any such vehicle, cause or allow goods to be loaded or any passenger to be carried in such a way that any passenger is without reasonable seating accommodation;

(*c*) save as may otherwise be provided by or under any general or special rule made by competent authority cause or allow any such vehicle to be loaded with passengers beyond the registered seating capacity or with luggage or goods in excess of the amount specified in the registration certificate, or the permit as the case may be;

(*d*) cause or allow any such vehicle to stand, or loiter with any such vehicle, for the purpose of obtaining passengers save as may be directed by competent authority;

(*e*) wrongfully obstruct or attempt to obstruct the driver, conductor or other person in charge of any other public service vehicle in the transaction of his business;

(*f*) refuse without good cause to carry any person who tenders a proper fare;

(*g*) require without good cause any person who has paid any fare to alight before the completion of the journey in respect of which the said fare shall have been paid; or

(*h*) in the case of a motor bus cause or allow anything to be placed in the gangway of the said bus in such a manner as to obstruct the entry or exit;

(*i*) behave in an incivil and disorderly manner;

(*j*) smoke in or on a vehicle during a journey or when it has passengers on board;

(*k*) fail to take all reasonable precautions to ensure the safety of passengers in or on or entering or alighting from the vehicle;

(*l*) wilfully deceive or refuse to inform any passenger or intending passenger as to the destination or route of the vehicle or as to the fare for any journey

(*m*) if requested by any police constable or other person having reasonable cause, fail to give particulars of his permit, his name and the name and address of the person by whom he is employed;

(*n*) not at any reasonable time, obstruct or neglect to give all reasonable information and assistance to any person having authority to examine the vehicle.

16. A driver, when acting as such, shall not when the vehicle is in motion enter into conversation with the conductor or any other person.

Precautions against infection.

17. No registered owner, no driver and no conductor or other person in charge of a public service motor vehicle shall place or carry or permit to be placed or carried on such a vehicle any person whom he knows or has reason to believe to be suffering from infectious or contagious disease, or the corpse of any person whom he knows or has reason to believe to have been suffering from any such disease, save under the written authority of a medical officer in the service of the Government, of and above the rank of a Sub-Assistant Surgeon or a medical practitioner approved by the Board in this behalf; and in the event of his carrying such a person or such a corpse, he shall not thereafter use the said vehicle for any purpose until it has been disinfected to the satisfaction of the medical officer or a medical practitioner approved as aforesaid.

Cleanliness and repair.

18. The registered owner and other person in charge of a public service motor vehicle shall maintain the furniture and fittings of the said vehicle in a reasonable state of cleanliness and repair.

Lost property.

19. The conductor or other person in charge of a public service vehicle shall take possession of any property accidentally left therein, and within twenty-four hours take or send the property or written information of the finding of such property to the nearest police station.

20. Every public service motor vehicle shall be driven only by a person certified by the licensing authority to drive that particular class or type of public service motor vehicles.

Irregular carriage of passengers or goods.

21. (*a*) No driver or other person in charge of a public service motor vehicle shall permit any passenger to ride on the roof or on the running board or on any outside portion of the said vehicle; nor shall such driver or other person load or permit to be loaded goods upon the said vehicle in such a way as to protrude beyond the

said vehicle to the danger of other traffic or persons on or beside the road.

(*b*) No driver or other person in charge of a public service motor vehicle shall load or permit to be loaded such motor vehicle in such a way that the total height of the vehicle and its load exceeds ten feet from the surface on which the motor vehicle rests.

Damage to roads.

22. (*a*) Every owner of a public service motor vehicle and every driver and conductor of such a vehicle shall report to the District Magistrate any damage caused to the road by the vehicle, which will or is likely to endanger public safety.

(*b*) The owner of every such public service motor vehicle shall be liable for any damage beyond ordinary wear and tear, caused wilfully or negligently by the motor vehicle, to culverts, bridges or any other property appertaining to roads. If the cost of such damage is not paid to the Executive Engineer in charge of the property damaged, upon demand, the District Magistrate on being satisfied that the demand is proper may suspend the permit until the amount demanded or such amount as he may deem proper is paid.

Records to be maintained.

23. The registered owner, the driver and the conductor of every public service motor vehicle shall maintain such records relating to the trips done by the vehicle as may by a general or special order be prescribed from time to time by the Board or the District Magistrate. These records shall be open to inspection by officers authorised in this behalf by the Board or the District Magistrate.

Duties and powers of the Traffic Board and District Magistrate.

24. The Traffic Board shall, subject to the general direction and control of Government, be the central authority in all matters connected with the regulation, control and licensing of public service motor vehicles. The District Magistrates shall be responsible for enforcing, within their respective jurisdiction, the Regulation, the rules and instructions issued from time to time in this behalf.

Rules Applicable to Motor Bus Services.

Classification of routes.

25. (i) For the purposes of permits for motor bus services, the Board shall grade all routes in the State

in two classes, hereinafter described as "through routes" and "local routes" respectively.

(ii) In classifying the routes in the manner described in the foregoing rule, the Board shall be guided by the following considerations, that is to say,—

(*a*) The importance of the route as a main through route common to two or more districts or common to one district or more and a neighbouring British Indian Province,

(*b*) whether the route is one running close and parallel to the Railway and whether the motor bus services on these roads compete with Railways in respect of traffic,

(*c*) the importance and volume of traffic likely to be carried on each route,

(*d*) the necessity for the development of the route and for the provision of facilities for public service motor traffic on the route.

(iii) (*a*) Important routes which are common to two or more districts or to one district and a neighbouring British Indian Province and those the traffic on which compete with Railways may be graded as through routes.

(*b*) Important routes local to a district or lying wholly within a district other than those forming part of through routes may be graded as local routes.

The Board to fix number of service of motor bus.

26. (i) The Board shall, in the case of both through and local routes, prescribe the maximum number of motor bus services for which permits may be issued in each route, taking into account the volume of traffic on that route and the facilities required for that traffic. In fixing the number of services, the Board shall be guided by considerations set forth in Sub-section 2 of Section 5 of the Road Traffic and Taxes Regulation.

(ii) On important through and local routes, the Board may, in its discretion, fix the number of services in such a manner as to make some provision for maintaining healthy competition in respect of the efficiency of the services generally and of the facilities and convenience provided to the passengers by such services.

Fixing of fares.

27. The Board shall, within the limits of the maxima and minima fares to be prescribed by the Government in this behalf from time to time, fix the fares that are to be charged by the motor bus services for the carriage of passengers in each area.

The District Magistrate—the authority to issue permits.

28. Subject to such exceptions as may be made by the Board from time to time, permits for all public service motor vehicles shall be granted by the District Magistrates in accordance with these rules.

Selection of permit-holders.

29. (i) Permit-holders for regular motor bus services on through routes shall be selected by the Board and their names intimated to the District Magistrate or Magistrates concerned. The letter intimating the selection of the permit-holders shall specify the time-table fixed for the running of the motor bus services, the special conditions, if any, to be attached to the permit and the District Magistrate by whom the permit is to be issued. The District Magistrate thus authorised shall, on collection of the service tax and the mileage cess for the entire route, grant the permit for the service.

(ii) Selection of persons for operating regular motor bus services on local routes will be made by the District Magistrates concerned subject to the number and frequency of such services prescribed for each road by the Board and to the conditions and qualifications prescribed in these rules for the operators of such services and subject to such further supplementary instructions as may be issued by the Board from time to time in this behalf.

Time-tables for motor bus services.

30. The time-table for the running of motor bus services on local routes shall be fixed by the District Magistrates taking into consideration the schedule of timings fixed for services on through routes by the Board.

Provision of adequate bus services.

31 (i) The Board and the District Magistrate shall arrange for the provision of adequate motor bus service on all roads.

(ii) The previous sanction of Government shall be obtained if the provision of such services on any local routes involves, on account of its unremunerative character, the payment of a subsidy or any other reduction in the rate of taxes.

SELECTION OF PERMIT-HOLDERS.

Qualifications for permit-holders.

32. In the selection of permit-holders for operating motor bus services, the authority concerned should have regard to the following matters, that is to say:—

(i) Persons selected must be of sufficient substance to manage the services efficiently.

(ii) Permit-holders shall maintain, on a scale fixed by the Board, additional vehicles as spares for the running of relief services in cases of break-down of the vehicles used on the regular service or in other emergencies.

(iii) For services other than inter-provincial services, preference should be given to the subjects of His Highness the Maharaja by birth or domicile.

(iv) Other things being equal, preference should be given to the existing permit-holders as against new-comers.

(v) Preference should be given to permit-holders who have made an adequate provision for running repairs and for garage accommodation.

(vi) In the selection of permit-holders for services on through and local routes, preference should be given to those who are prepared to provide services on unremunerative local routes acting as feeders to important through and local routes.

THE SYSTEM OF SELECTION OF PERMIT-HOLDERS.

Monopoly for the Railway Department on roads competing with Railways.

33. (1) The State Railway Department, may, at the discretion of the Board, be granted a permit for the exclusive provision of motor bus services on roads declared as competing with the Railways in respect of traffic. The grant of the monopoly to the Railway Department on such roads shall be subject to the following conditions, that is to say:—

(i) The previous sanction of the Government shall be obtained for the grant of the monopoly.

(ii) The monopoly shall be in respect of roads competing with Railways running parallel and close to the Railway.

(iii) The motor bus services provided by the Railways shall be subject to all the rules and regulations applicable to other such services.

(iv) The Railway Department shall provide on these routes the number of services with the frequency and to the schedule of timings approved by the Board.

(v) Government may exempt from the monopoly, portions of such roads as form part of the route which other motor bus services have to traverse when plying

between places lying outside the said road competing with Railways, or between a place on such road and a place outside such road or between two places situated on such road, but connected by a road other than the said road competing with the Railways. Permits may be granted for services on such portions of the said road competing with Railways, subject to such special conditions with regard to fares, picking up and setting down of passengers in the portions forming part of the said road, as the Board may think fit to impose from time to time.

(vi) The monopoly shall be in respect of motor bus services under ordinary and short term permits and shall not apply to the provision of such services on special permits.

Special conditions attached to permits for permit-holders other than Railways on roads competing with Railways.

34. (i) When on such roads the Railway Department is not granted the exclusive option of providing motor bus services, permits for bus services may be granted to other persons.

(ii) The Board may attach to permits granted on such roads to persons other than the Railway Department, such other conditions as they may think fit for securing that—

(*a*) the fares shall not be unreasonable;

(*b*) where desirable in the public interest the fares shall be so fixed as to prevent wasteful competition with the Railway along the route or any part thereof or in proximity thereto.

(*c*) the time-table fixed for the motor bus services may be such as to allow a reasonable interval of time between the timings of trains and between those of the motor buses.

(*d*) that unnecessary and wasteful competition is avoided.

Selection of permit-holders on other roads.

35. Permit-holders for the provision of motor bus services on all other roads may be selected by the prescribed authority by a process of selection from amongst suitable applicants.

Applications for permits.

36. (i) Subject to such exceptions as the Board may make from time to time, the Board in the case of through routes and the District Magistrates in the case of local routes, shall call for applications by a notice published in the Official Gazette.

(ii) Every person desirous of obtaining a permit under these rules shall present a written application to the District Magistrate indicated in Rule 3 above.

The District Magistrate shall refer applications for permits on through routes to the Board with such recommendations as he may deem fit to make.

(iii) Every such application shall contain particulars of the type or types of vehicles to be used, and of the service proposed to be operated and the Board may, for the purpose of such applications, prescribe a form of application for the entry of such other particulars as may in their opinion be required.

Monopoly of services on Roads other than those competing with Railways.

37. It shall be competent for the Board to grant a monopoly for the provision of motor bus services on any route other than that declared as competitive with Railway routes referred to in Rule 33 *supra*, subject to the following conditions, that is to say:—

(i) The previous sanction of the Government shall be obtained in each case.

(ii) The mode of selecting the person and the sum of money that is to be paid by him for the grant of monopoly shall be as approved by the Government and may include selection by means of public auction or tender.

(iii) The period for which the monopoly is to be in force shall be as fixed by the Government in each case.

(iv) The monopoly granted may be summarily suspended or revoked or terminated at any time on a month's notice if the person holding the monopoly fails to act up to the conditions on which the monopoly is granted or fails to provide efficient, regular and satisfactory service or for breach of rules or conditions prescribed or for any other cause or failure deemed sufficient by the Board:

Provided that the said monopoly shall not be revoked or terminated unless the Board is satisfied after giving the person concerned an opportunity of being heard that the permit should be revoked or terminated.

(v) The decision of the Board in this matter and also with regard to the refund or otherwise of any portion of the sum paid for the monopoly shall be final.

(vi) The holder of a monopoly shall provide motor bus services to the timings and frequency prescribed by the Board from time to time. He shall also be subject to

the rules and regulations applicable to bus services generally, under these rules and under orders that may be issued form time to time.

(vii) The monopoly shall not apply in respect of the portions of such roads as form part of the route which other motor bus services have to traverse when plying between places lying outside the said road, or between a place on such road and a place outside such road or between two places situated on such road, but connected by a road other than the said road. Permits may, at the discretion of the Board, be granted on the said portions of the road on which a monopoly has been granted to other motor bus services, subject to such special conditions with regard to fares, picking up and setting down of passengers in such portions as the Board may think fit to impose from time to time.

(viii) The monopoly shall be in respect of bus services under ordinary and short-term permits and shall not apply to the provision of such services under special permits.

Short-term Permits.

38. (i) Short-term permits for motor buses during feasts, fairs and other such like special occasions of a duration not exceeding seven days may be granted by the District Magistrates on all roads within the limits of their District except those on which a monopoly has been given to the Railway Department or any other person.

(ii) Such permits for periods exceeding seven days shall be granted by the same authority in the same manner and subject to the same conditions as those prescribed under these rules for the grant of ordinary permits for regular motor bus services on such roads.

(iii) In granting short-term permits referred to in sub-rules (i) and (ii) above for motor bus services during feasts, fairs and other such like special occasions on roads declared to be competing with Railways in respect of their traffic, the authority shall take into consideration the additional train services provided by the Railway Department and grant permits only to the extent necessary to supplement Railway Services in the public interest.

(iv) In the selection of the said short-term permit-holders, preference may be given to those who hold permits for providing regular motor bus services on such routes.

(v) The fares to be charged by such short-term permit services shall not be less than those prescribed for regular services on the route.

MOTOR BUSES—DRIVERS AND CONDUCTORS.

Conductor of Motor buses.

39. Every motor bus shall, besides a driver, carry a conductor whose duty shall, in addition to any specially mentioned, be to attend on the passengers and to see to the fulfilment of these and the Motor Vehicles Rules in all cases where the driver is not held responsible according to law.

40. No person under the age of eighteen years shall act as a conductor of a motor bus in any public place.

41. (i) No person shall act as a conductor of a motor bus unless he has a written authority in form 5 annexed to these rules signed by the proprietor and countersigned by the District Magistrate.

(ii) The written authority shall be in the form prescribed for the purpose and shall be obtained from the District Magistrate on payment of a fee of 8 annas. A photograph of the conductor shall be affixed to the space provided for the purpose in the said form and it shall be sealed in such a way as to prevent fraudulent substitution.

(iii) Where for any reason, the countersignature of the District Magistrate to the written authority referred to in sub-rule (i) cannot be obtained on the day it is submitted to him for the purpose, the proprietor of the motor bus may issue to the person to whom such written authority relates, a temporary written authority countersigned by any Police Officer not below the rank of an Inspector or any Inspector of motor buses. Such officer shall not countersign the temporary written authority unless he is satisfied that the written authority referred to in sub-rule (i) has been submitted to the licensing authority and could not be received back after countersignature on the day it was so submitted. Such temporary written authority shall, subject to the condition contained in sub-rule (iv), entitle the person to whom it relates to act as a conductor until the written authority submitted to the District Magistrate for countersignature is received back.

(iv) The conductor shall always retain the written authority referred to in sub-rule (ii) or (iii) with him while on duty and shall exhibit it on demand to any police officer or to any Magistrate or to any officer or the Board.

(v) A court by which a conductor is convicted of an offence against the provisions of the Mysore Motor Vehicles Regulation, 1914, the Road Traffic and Taxes Regulation, 1935, or the Rules made thereunder shall cause particulars of the conviction to be endorsed in the said authority.

A conductor's authority granted in accordance with any rule in force for the time being in any part of the Madras Presidency shall be valid in Mysore until the date of its expiry.

Duties of motor bus conductors.

42. A conductor of a motor bus when acting as such,

(*a*) shall not when the vehicle is in motion distract the driver's attention without reasonable cause or speak to him unless it is necessary to do so in order to give directions as to the stopping of the vehicle;

(*b*) shall take all reasonable precautions to ensure that every means provided for indicating the route, fares and destination of the vehicle are clearly and correctly displayed;

(*c*) shall not, except for sufficient reason, by failing to signal to the driver to start, cause the vehicle to remain stationary on a road longer than is reasonably necessary to pick up or set down passengers except at a stand or place where the vehicle is permitted to stop for a longer time than is necessary for that purpose.

Duties of drivers.

43. A driver of a motor bus when acting as such,

(*a*) shall, when picking up or setting down passengers, stop the vehicle as close as may be to the left or near side of the road;

(*b*) shall not cause the vehicle to remain stationary on a road longer than is reasonably necessary to pick up or set down passengers except at a stand or place where such vehicles are permitted to stop for a longer time than is necessary for that purpose.

44. Every driver and conductor of a motor bus shall be properly dressed, while on duty in clean uniform of the following description :— Dress for conductors and drivers.

Drivers.—Khaki trousers or shorts and Khaki closed coats with five buttons and a cap or a turban or a hat.

Conductors.—Khaki shirts or coats, Khaki shorts and a cap or a turban or a hat.

45. (i) The driver of a motor bus shall wear in a conspicuous place on his left breast a numbered badge supplied to him by the District Superintendent of Police on payment of a fee of Re. 1. Driver's badge.

(ii) The proprietor shall surrender such badge on the permit for the vehicle being suspended or cancelled or becoming time-expired. If the badge is lost or not returned, the proprietor shall be liable to pay a charge of one rupee to the District Superintendent of Police.

46. No person shall drive or cause or permit any person employed by him or subject to his orders to drive a motor bus (i) for any continuous period of more than six hours or (ii) for continuous periods amounting in the aggregate to more than 11 hours in any period of 24 hours calculated from midnight, or (iii) so that the driver has not at least ten consecutive hours for rest in any period of 24 hours calculated from the commencement of any period of driving. Hours on duty of drivers.

47. Every motor bus plying for hire shall run in accordance with such schedule of timings as may from time to time be prescribed by the authority granting the permit. If, at any time, owing to an accident or other cause, the vehicle does not run on any day or runs more than three hours late on any day, a report shall forthwith be made to the District Magistrate or such other authority as may be fixed by the Board from time to time.

48. No permit issued under these rules shall entitle the permit-holder to claim compensation for being prevented from using the motor vehicle on roads and bridges which, during the currency of the permit, may be ordered by a duly constituted authority to be closed to motor traffic for repairs or for other purposes. Closing of roads and bridges to motor traffic.

49. (i) In the case of every motor bus, the name of the place of destination of the vehicle for the particular Rules to carry boards exhibiting place of destination.

trip shall be exhibited on boards in conspicuous places to the front and rear of the vehicle.

(ii) such name shall be :—

(*a*) in English and in Kannada ;

(*b*) painted on black ground in white letters not less than 2 inches high and of proportionate thickness ;

(*c*) clearly visible and unobstructed by car equipment or otherwise ; and

(*d*) illuminated by a white light or lights so constructed and placed and so efficient as to render the letters easily distinguishable between half an hour after sunset and half an hour before sunrise.

(iii) (*a*) The conductor of the bus shall be held responsible for the observance of this rule.

(*b*) The liability of the registered owner of the vehicle for the breach of this rule shall, when he is not in the vehicle at the time of the breach, be confined to non-provision of the boards and lights and of the articles and oil necessary for the lighting of such lights.

se of motor is for private purposes.

50. (i) No motor bus in respect of which a permit has been obtained shall be employed for private purposes within the area or areas to which such permit or such permits relate, without a special permit in Form 4 annexed to these rules and except in accordance with the conditions specified therein. The said permit may be granted by the District Magistrate.

(ii) Even when a motor bus is used for private purposes in any area for which it holds the permit, all the conditions except those relating to the carrying of passengers who tender proper fare shall apply to it.

(iii) When the motor vehicle passes into any area for which no permit has been obtained and is in use in such area for private purposes only, the conditions of the permit shall not apply thereto and the certificate of registration granted to the vehicle shall be sufficient.

(iv) In every case in which a motor bus is performing a casual journey for private purposes, it shall exhibit a board or placard bearing the word "Private" painted in English in letters at least 6 inches long on a red background.

Explanation.—In this rule, the term "private purposes" means the use of the vehicle by the owner thereof for purpose *bona fide* personal and not the use of the vehicle for the carriage of any person or persons for hire or reward.

Rules relating to Motor Cabs.

Permits for motor cabs to authorise their use as contract carriage.

51. (i) Permits for a motor cab shall, subject to such exceptions as may be made by the Board in this behalf, entitle the permit-holder or the person in charge of the vehicle to use it only as a contract carriage, that is to say, a carriage carrying passengers for hire or reward under a contract expressed or implied for the use of the vehicle as a whole at or for a fixed or agreed rate or sum and not as a vehicle carrying passengers for hire or reward at separate fares, stage by stage and stopping to pick up or set down passengers.

District Magistrates to issue permits for motor cabs.

52. Permits for motor cabs shall be issued by the District Magistrate of the District in which the permit-holder resides or in which the offices of the business in respect of which the vehicle is used are situated.

Rates for hire or detention in city areas.

53. The Board may by a notification in this behalf fix the rates for the fare or hire or detention of any motor cab let or plied for hire within the limits of a City Municipality.

Provided that nothing in these rules shall prevent the owner of such a motor cab from entering into a contract to let his motor cab for periods of not less than a full day or for trips of more than five miles beyond the municipal limits of the said City at charges agreed upon between him and the hirer.

Motor cabs at cab stands in cities.

54. The drivers of motor cabs at motor cab stands in the limits of a City shall observe the following rules :—

(1) The Drivers of the first two motor-cabs on the stand must stay beside their cabs and must be ready to be hired at once by any person, provided that a hirer wishing to hire any particular cab on the stand may do so.

(2) All motor cabs on the stand must move up as vacancies occur.

(3) No motor cab engaged for some future time shall remain on the stand unless the driver is willing to accept any intermediate hiring that may be offered.

(4) No disabled motor cab shall remain on the stand unless such disablement is strictly temporary, and can be and is remedied at once.

Duties of drivers of motor cabs in the limits of City Municipalities.

55. No driver of a motor cab plying for hire in the limits of a City Municipality shall—

(*a*) be drunk during his employment;

(*b*) make use of insulting or abusive language or gesture;

(*c*) stand elsewhere than at some stand or other place appointed for the purpose or loiter for the purpose of being hired, in or upon any public street or road, or place;

(*d*) refuse to give way (when he reasonably and conveniently may do so) to any other vehicle;

(*e*) wilfully obstruct or hinder the driver of any other motor cab in taking up or setting down any person into or from such other motor cab;

(*f*) wrongfully prevent, or intend to prevent, the driver of any other motor cab from being hired;

(*g*) demand more than the proper fare to which he is legally entitled;

(*h*) before he has been discharged by the hirer, desert from the hiring;

(*i*) ply for hire with any motor cab which is at the time unfit for public use; or

(*j*) shout in order to attract the attention of the public or of a possible hirer or, for any other reason, act in such a way as to cause inconvenience or annoyance to the public.

Dress of drivers.

56. The drivers of motor cabs shall while on duty appear in clean uniform of the following description:—

Khaki trousers or shorts and Khaki closed coats with five buttons and a cap or a turban or a hat.

Validity of permits for motor cabs.

57. Permits for motor cabs shall be valid throughout the State, except in the case of motor cabs for which short term or special permits are granted in which case they are valid in the area and for the period specified in such permits.

Rules Applicable to Public Service Motor Lorries.

Permits for motor lorries.

58. (1) Permits for public service motor lorries shall be granted by the District Magistrates in respect of lorries to be let or plied for hire or reward within the limits of his district.

(2) Applications for permits for lorries to let or ply for hire in more than one district shall be referred by the District Magistrate specified in Rule 4 above to the Traffic Board and permits issued on the advice of the Board. The same procedure as that prescribed for the issue and grant of permits for motor bus services in Rule 29 above shall, in so far as it is applicable to motor lorries, be followed in this case also.

Liability of public service motor lorries to toll.

54. (i) The bridges and the roads specified in Schedule V of the Road Traffic and Taxes Regulation and bridges and roads to be constructed hereafter referred to in Section 20 of the said Regulation shall not be included in the area permitted for such lorries. Such lorries should pay tolls while passing toll-gates established on such roads or bridges.

(ii) The Board may, by notification in the Official Gazette, fix from time to time the roads competing with Railways on which lorries let or plied for hire shall be liable to tolls. On the issue of such a notification, motor lorries let or plied for hire shall be subject to tolls on such roads notwithstanding any condition to the contrary in the permit granted to the vehicle.

Validity of permits.

60-A. Ordinary permits for public service motor lorries shall cover casual outward and home journeys through any of the districts of the State subject to the following conditions :—

(i) In the area beyond that specified in the permit, the motor lorry shall be liable to tolls.

(ii) Such casual trips shall be done only when the motor lorry is let for hire to any person either on the outward or home journey as a contract carriage, that is, for an amount agreed or specified for the use of the vehicle as a whole for that journey.

(iii) The lorry shall not be let or plied for hire or reward for any purpose save that specified in sub-rule (ii) above in the area beyond that for which the lorry holds the permit.

60-B. Short-term and special permits shall be valid only for the routes or the area and for the period specified in such permits.

Special conditions on Railway competition roads.

61. The authority empowered to grant permits under these rules may attach to such permits special conditions it may deem necessary to prevent uneconomic or

wasteful competition on roads competing with Railways. Such special conditions may include, among other conditions, the following :—

(*a*) a condition that only specified classes of goods shall be carried on roads specified therein,

(*b*) a condition that specified classes of goods shall not be carried on such roads,

(*c*) a condition that rates lower than the amount specified shall not be charged on such routes.

Lorries not to carry passengers for hire or reward.

62. No motor lorry other than that for which a permit has been granted for the carriage of passengers and goods for hire or reward shall carry any passengers for hire or reward.

Rules applicable to lorries carrying passengers and goods.

63. To a motor lorry holding a permit for the carriage of passengers and of goods, all the rules applicable to a motor bus shall apply, in so far as the carriage of the said passengers is concerned and all the rates applicable to a motor lorry in so far as the carriage of goods for the said purpose is concerned.

Carriage of persons on a lorry.

64. No motor lorry let or plied for hire for the carriage of goods only shall carry persons except as specified below, that is to say :—

(*a*) Not more than four persons including the driver shall normally be carried on a motor lorry.

(*b*) Such persons shall not be carried in any place on the motor lorry other than that set apart for the accommodation of persons.

(*c*) No persons other than the members of the family of the permit-holder or the person who has hired the vehicle or their workmen or labourers shall be so carried.

(*d*) In those cases in which it is, on account of the nature of the particular business, necessary for a larger number to be taken by the motor lorry, a special written authority authorising the driver to carry the specified number of people should be issued by the owner of the vehicle. This authority must be carried by the driver and be available for inspection by any Police Constable or other authorised officer.

(*e*) Such persons shall not be seated on packages or goods loaded on the lorry.

(*f*) In all cases in which it is necessary for the permit-holder to carry more than four persons, otherwise than as prescribed in sub-rules (*d*) and (*e*), the approval of the authority granting the permit shall be

obtained. This approval shall be granted subject to such conditions, to be specified in the permit, as the said authority may deem fit to impose.

Rules Regarding Construction and Equipment of Motor Vehicles.

Special rules applicable to Public Service Motor Vehicles.

65. The steering arms and other connections shall be of ample strength and shall be adequately protected by front bumpers from damage by collision.

66. Carburettors or other petrol receptacles, unless they are suitably encased or screened, shall not be in close proximity to the magneto or to wires or other connections carrying electric current.

67. Except in electric batteries, no celluloid or xylonite shall be used inside or outside any public service motor vehicle, except on side curtains.

68. When a guard-tray or under-shield is fixed beneath the engine and adjacent machinery, it shall be so constructed that no petrol shall be retained thereon.

69. All moving parts and all parts subject to severe vibration fixed or connected by bolts or studs and nuts must be fastened by locknuts, or by nuts together with efficient spiring or locknut washers or by castellated nuts together with split pins or otherwise in such a manner as to prevent their working or becoming loose.

70. The following particulars shall be legibly painted or otherwise exhibited in a conspicuous place on every motor cab and motor bus, namely :—

(*a*) the registered laden weight;
(*b*) Do seating capacity.

71. All wires carrying electric current shall be properly insulated and protected from injury and so placed that they cannot be a cause of danger.

72. Where acetylene or other gas is used to light the vehicle, the cylinders or vessels which contain the gas, or in which it is generated, shall be fixed outside in such a manner as in the opinion of the authority granting the permit to eliminate, as far as may reasonably be possible, the danger of accidental ignition.

73. Every public service vehicle shall be fitted with pneumatic tyres.

74. There shall be carried on every public service motor vehicle, not less than one spare tyre properly inflated on a rim or wheel, which can be quickly fitted to the vehicle. In addition every motor bus shall carry a spare tube and tyre in good order which can be fitted quickly to the wheel.

75. No public service motor vehicle shall be driven and controlled from the left hand side of the vehicle.

76. Upon every public service motor vehicle, sufficient room shall be reserved for the driver to allow him adequate and sufficient space for the performance of his duties and, in particular, in the case of motor bus the space reserved shall be as follows, namely :-

(1) the back of the driver's seat shall be not less than 13½ inches distant from the nearest point on the steering wheel;

(2) the width of the space reserved for the driver shall be measured from a line drawn through the centre of the steering column parallel with the axis of the vehicle and shall extend on the left to a point not less than 18 inches from that line and on the right to the extremity of the vehicle:

(3) this space shall be partitioned off upon the seat of the vehicle by a partition not less than nine inches high; and

(4) within the space reserved for the driver as aforesaid, nothing shall be placed between the back of the driver's seat and the forward extremity of the space available.

77. In the case of a motor bus having a roof or hood the height measured at any point on the centre line of the vehicle from the top of the floor battons of the lower deck to the lower edge of the roof supports or hood sticks or other such projections, shall not be less than four feet and six inches or more than six feet.

78. The overall width of a motor bus shall not exceed that of the rear wheel track by more than two feet and shall in no case exceed 7 feet 6 inches, nor shall the body project beyond the rear wheel track by more than one feet at either side.

79. In every motor bus, not less than 15 inches measured in a straight line along the length of the front

of each seat shall be allowed for each passenger, and the seat shall be convenient and reasonably comfortable; and

(*a*) when the seats are placed along the vehicle, the backs of the seats on one side shall be at least 54 inches from the backs of the seats on the other side of the vehicle;

(*b*) when the seats are placed across the vehicle and are facing the same direction there shall be a clearer space of not less than 11 inches between the back of one seat and the front of the seat behind; and

(*c*) when seats are placed across the vehicle and are facing each other, there shall be a clear space of not less than nineteen inches between the fronts of facing seats.

80. In every closed motor bus having entrance from the rear, there shall be a gangway along the centre, and

(*a*) Where seats are placed along the sides of the vehicle there shall be as gangway a clear space of not less than twenty-four inches measured between the fronts of the seats; and

(*b*) Where seats are placed across the vehicle there shall be as gangway a clear space of not less than fourteen inches between the sides of the seats.

81. Every motor bus shall be provided with adequate means of ventilation when the main windows are closed.

82. Every motor bus shall be provided with efficient means to enable passengers to signal to or attract the attention of the driver or conductor.

83. Every motor bus shall be fitted with at least one top light to illuminate adequately the interior of the passengers' compartment. Such light shall be under the control of the driver.

84. The body of every public service motor vehicle shall be so constructed as to satisfy the authority empowered to grant the permit of the strength of the construction.

NOTE:—Rules 76 to 80, both inclusive, shall apply to new motor buses for which permits are to be granted from 1st January 1936 and will not apply to such existing buses for which permits have been granted under the existing rules.

Rules applicable to all motor lorries.

85. The overall width of a motor lorry shall not exceed the track of the rear wheels by more than two feet or be more than seven feet and six inches whichever is less.

86. The length of a motor lorry shall not be more than twenty-seven feet and six inches in the case of a four-wheeled vehicle or more than thirty feet in the case of a rigid frame six wheeled vehicle,

Provided that if the motor lorry draws a trailer the weight of which is so partially imposed upon the motor lorry that the axle weight of the rear axle of the motor lorry exceeds the axle weight of the trailer, the length of the motor lorry and the said trailer together shall not be more than thirty-three feet.

87. The following particulars shall be legibly painted or otherwise exhibited in a conspicuous place upon every motor lorry, namely—

(*a*) The registered laden weight.
(*b*) The registered axle weight.

APPEALS.

88. Any person who,

(*a*) being an applicant for the grant of or variation of the conditions attached to a permit is aggrieved by the decision of the authority empowered to grant permits on such application or by any special condition attached to the permit,

(*b*) being already the holder of an ordinary permit for the provision of motor bus services is aggrieved by the grant of additional permits on the road for new motor bus services,

(*c*) being the holder of a permit is aggrieved by the revocation or suspension thereof

may appeal to the Appellate Commission constituted under these rules.

89. The Appeal should be preferred within one month from the date of the Order appealed against, provided that the Appellate Commission may in cases in which it considers fit relax the time limit.

90. Either the Chairman of the Board or any Committee of three members of the Board specially appointed by the Chirman for this purpose shall constitute the Appellate Commission for the purpose of hearing any appeal preferred under the foregoing rule.

91. The Chairman of the Board may make rules governing the procedure of the Appellate Commission. Such rules may provide that an appellant shall be entitled to be heard in person in support of his appeal or by Counsel, Solicitor or Agent.

92. The Appellate Commission, when it consists of the Committee appointed by the Chairman, shall not exercise its jurisdiction unless by the full number of its members. The decision of the Appellate Commission in such cases shall be by majority.

93. The decision of the Appellate Commission shall be final.

APPENDIX.

FORM No. 1.

Page 1

Ordinary permit in respect of motor cabs/motor buses.

The motor cabs/motor buses specified on page 2 are permitted to let on ply for hire within the following limits. This permit is valid up to .....

Name and address of the permit holder

Signature and seal of District Magistrate.

NOTE.—This will be bound in a cover and be about 8″ × 5″ in size.)

Page 2.

The Motor cabs/motor buses permitted to let or ply for hire.

No.		Reg. No.	Reg. No.	Reg. No.	Reg. No.	Reg. No. .....
1	Brief description ...					
2	Seating capacity excluding the Driver's and Conductor's Seat.					
3	Maximum weight of luggage that may be carried.					
	(a) On the roof, if a motor bus.					
	(b) Within the body of the vehicle in addition to the full complement of passengers (provided that seating accommodation is provided for the passengers on the vehicle, for every passenger less than the registered capacity, 140 lbs. of luggage may be carried.)					
4	Unladen weight (in the case of motor cabs.)					
5	Other remarks ...					

Page 3.

Special conditions attached to the permit.

Page 4.

[For motor buses only.]

No. of trips permitted per day.....

Timings.

age 5.

Notes Re. the periodical inspection of the vehicle and equipment and orders *re.* suspension of the permit etc.

Page 6.

Mileage Cess.

In the case of motor buses only.]

Year ending.....

Quarter for which paid	Amount paid	Signature and Seal of District Magistrate

Page 1.

FORM NO. 2.

Ordinary permit for a motor lorry let or plied for hire.

This motor lorry is permitted to let or ply for hire or reward for the carriage of goods/or of goods and passengers, within the following limits. This permit is valid up to.....

Name and address of Permit holder.

Signature and seal of District Magistrate.

Page 2.

1. Registered Number.
2. Brief description.
3. Unladen weight (in cwts).
4. Total weight of goods allowed to be carried.
5. Description of tyres.
   (a) Front wheels.
   (b) Back wheels.
6. Seating capacity excluding Driver's and Conductor's seat.
7. Maximum weight of the luggage that may be carried on the roof of the vehicle.
8. Maximum weight of luggage that may be carried within the body of the vehicle in addition to the full complement of passengers.
9. Other remarks.

NOTE.—Items 6 to 8 to be entered in case of lorries permitted to carry passengers and goods for hire or reward.

Page 3.

Special conditions

Page 4.

Notes regarding the periodical inspection of the vehicle and equipment, and orders regarding repairs or suspension of the permit.

Page 5.

Exemptions from tolls.

(i) Municipality at which vehicles are exempt from tolls.

(ii) The area in which the lorry is exempt from tolls.

Note.—This exemption does not apply to toll-gates specified below

Toll-gate on the road and bridge on lands at Kabbini.

Do at T.-Narsipur.

Toll-gate on Hemavati at Akkihebbal and Gorur.

Toll-gate on the dam at Krishnaraj Sagara.

Page 6.

Payment of fees and taxes on vehicles.

Period for which the car taxes have been paid.	Amount paid	Signature and seal

Page 7.

1. If the lorry is let or plied for hire for the carriage of passengers and goods (i) note the details of taxes due under sub-items (a) (b) and (c) of item 3 to Schedule II. B of the Road Traffic and Taxes Regulation.

(a) Taxes on the motor lorry portion set apart for goods
(b) Service tax on seating capacity.
(c) Mileage cess.

i) No. of trips allowed :—

i) Timings—.

Signature and seal of District Magistrate.

FORM No. 3.

Form of Short-term or Special Permit for Motor Cabs and Motor Buses.

I, the District Magistrate of.....District hereby permit the letting or plying for hire of the motor cab—motor bus described below belonging to..... .....residing at ....whose head office is at..... ... subject to the following conditions.

2. This permit is valid for the road or roads or for the area specified below.

3. The permit is valid up to and inclusive of..... day of.....month.....year.

I. Description of motor vehicle.

II. The road or roads and the area in which it is permitted to ply.

III. Special conditions.

IV. No. of trips and timings allowed

V. Fees collected.

FORM No. 44

Form of permit for the use of a motor bus for private purposes within the area for which it holds an ordinary or short-term or special permit.

Under rule.....of rules for public service motor vehicles 1935, I do hereby authorise the employment for private purposes subject to the following conditions of motor vehicles No. ..... belonging to.....residing at.....for the purposes and on the dates specified below :—

(Here enter the purposes and dates.)

Here enter the roads or the area thus permitted.) .

The motor vehicle shall be marked " private."

District Magistrate, ...District.

Station..... .....

Date..... .....

(*a*) FORM 5

CONDUCTOR'S PASS

(Photograph)

Name.

Father's name.

Address.

Age.

Caste and description marks

Bus-owner's Certificate.

Under Rule (27 B) of the Mysore Public Service Motor Vehicles Rules, I do hereby authorise.....son of.....aged.....year to act as Conductor on my buses.....and

Signature of Proprietor.

Countersigned.

District Magistrate. District.

(Spaces for convictions and endorsements.)

POLICE DEPARTMENT.

Tel. Address
"POLICE"
PHONE No. 298

OFFICE OF THE
INSPECTOR-GENERAL OF POLICE IN MYSORE,

When replying please quote No. M 1511

Dated Bangalore, the 5th December *193* 5

FROM

F. A. HAMILTON, ESQ., C.I.E.,
Inspector-General of Police in Mysore,
Bangalore.

To

M. Venkatesa Iyengar, Esq., M.A.,
General Secretary to the Government of Mysore,
Bangalore.

GENERAL SECRETARIAT
5 DEC 1935

Spl Officer 6/12 6/12.

SIR,

With reference to your letter No.P.3445-53/Legis. 46-35 dated 27th November 1935 calling for my remarks on the draft rules relating to Public Service buses, I have the honor to state as follows:-

At the outset it has to be remarked that the entire set of rules to be framed newly under the Motor Vehicles Regulation and under the Motor Taxation Regulation, not having been published, it is somewhat difficult to offer any useful remarks on isolated groups of rules. For example :- the rules relating to the payment of vehicle and road taxes and the grant of licenses have not yet been issued : There are portions in them which have a bearing on the other rules and the implication of the rules cannot therefore be fully guaged. However the following points are noted for consideration and elucidation.

Forms attached to the Draft Rules :- It is not clear whether it is intended that the Registration Certificate and the Permit to ply for hire, should be combined in one book. The form for the Registration Certificate, 'C' is prescribed by Rule of the Motor Vehicles Rules. That rule however has not been altered and there is no indication that it will be altered.

If the intention is to combine the Registration Certificate and the permit in one book, it will entail the provision of additional forms for cars and another for lorries (used for private purposes or agricultural purposes only), unless the idea is to keep the old Registration form for these 2 types of vehicles.

It happens often that a car used for private purposes may be used as a cab some days later, or a lorry used for agricultural purposes merely and paying a vehicle tax, may come to be used some time later for private purposes other than agricultural purposes and become liable for Road Tax, or the same lorry might be used for hire purposes later and become liable for service tax and also mileage cess. In such cases should a new Registration Certificate be applied for and issued on each such change? This will obviously mean great inconvenience to the public. If such is not intended, then, why are separate 'Registration' forms provided and as also certificates for the signature of the Registering Authority?

Again provision has been made for the certificates for payment of taxes being signed by the Registering Authority. This authority is obviously different from the Licensing Authority i.e., the Authority that issues permits. It is not clear how the former authority comes to be inserted in the permits.

There are a number of such items in the permits requiring elucidation The permits convey no adequate idea of their scope. The headings are not clear It is very necessary to indicate at the top of each permit under what particular rule it is issued, so that its use and scope are clearly ascertainable. As observed above, the question of these forms has to be considered with the question of the alteration of the Registration Certificate Forms.

The better course would perhaps be to have one Registration Book to satisfy all cases of Registration. It could contain the Registration Certificate, with spaces for changes of address, changes of ownership and spaces for certificates of the payment of tax for each quarter on the lines something of the Madras Certificate. The Registration Certificates should be produced before the Licensing Authority or the District Magistrate as the case may be, when licenses or permits are needed and that Authority might make a certificate appropriate for the kind of tax paid. In the case of vehicle taxe paid, the certificate may be made every half year, or one year, as the case may be, by the Licensing Authority. In addition to this certificate a separate license will also issue by the same authority. In the case of Road taxes certificate may be made for each quarter by the same authority. In the case

of service taxes or mileage cesses, similar certificate might be made by the District Magistrate. In the latter two cases, an additional permit to ply the vehicle for hire will also be issued by the District Magistrate.

In the event of a new form as indicated above being adopted Rule 3 of the Rules has to be suitably altered. Form I is a permit for cab and it is obviously valid throughout the State - See Rule 56. Then why the extra space and the words "and within following limits" are provided is not clear. Again the Registering Authority does not receive the tax or fees. Why is his - signature provided for?

In Form III there is no provision for a lorry plying for hire both for the haulage of goods, and carriage of passengers. In this case, provision has to be made for noting the number of persons licensed to be carried.

The rules under reference are issued under the Motor Vehicles Regulation. Several of them refer to the Board . The Board has not been defined in the Motor Vehicles Regulation or the Rules thereunder. It is doubtful if a mere citation in Section 4 of the Road Traffic Regulation that a Board may be constituted for the purpose of carrying out the provisions of the Mysore Motor Vehicles Regulation is sufficient to dispense with the definition of the Board in the Motor Vehicles Rules. This point may be considered.

Rule:- 40 - (i) Who the Licensing Authority is has to be indicated, if not in the rule, elsewhere.

(ii) A form has to be prescribed under this rule.

Rule :- 50- There is much confusion arising out of the use of the expression 'permits' as two classes of permits are contemplated in this rule (1) ordinary permit (2) special permit. Special permits should be indicated as such by the addition of 'special' before the word permit wherever such a permit is referred to.

Rule:- 55 - 'Shirts' is apparently used by mistake for 'Shorts'

Who grants permits to Motor Lorries private? (See Section 23 of the Regulation).

Rule:- 61

Rule:- 61 - Can passengers be taken for other than hire on such lorries?

Rule:- 62 - 'Rates' is apparently put down for 'Rules' by mistake.

Rule:- 63 - Does this not refer to motor lorry let or plied for hire carrying goods only. If so, that should be made clear by the addition of the words carrying goods only.

(c) Hirer might also be added as often. The hirer's labourers have to be carried to deal with the hirer's goods carried in the lorry.

(d) What is the safeguard to ensure that the written authority authorising a driver to carry people is bonafide. It might happen in practice that the owner/may give several such certificates, circumventing the rules.

(e) The 'proper arrangement' is too vague. If the men do not sit on the packages or the goods loaded where else would they sit, as the front seats will have been occupied by the 4 persons including the driver. If extra seats are expected to be provided that should be made clear so as to facilitate easy enforcement.

(f) 'Casually'. The exact scope of this should be defined without which the enforcement of the rule will be difficult. This question of labourers sitting on lorries is being more and more difficult every day.

There is no provision about motor lorries used for private purposes takin labourers. Under the rules as they now stand taking them anywhere else except on the seats is forbidden.

I have the honor to be,
Sir,
Your most obedient servant,

Inspector General of Police

3442/35

Office of the District Magist[illegible]

Tumkur District-

Dated 6th December 35

GENERAL DEPARTMENT
9 DEC. 1935
Confl. 10

Subject :- No. 80 B. 9 dated 5th December 35 from the Bus Inspector, Tumkur submitting certain proposals re the rules in respect of Public Service Motor Vehicles for favour of consideration.

Memo

M.B. 35
35-36
Encl. 4.

Forwarded with Compliments to the Secretary, Traffic Board in Mysore, Bangalore

[illegible]
For District Magistrate
Tumkur Dist

Spl Officer
9/12
12/12

To,

The Secretary,

Traffic Board in Mysore,

B A N G A L O R E .

Thrrough,

The District Magistrate,

Tumkur District, T u m k u r.

No 80. B.I
Dated 5.12.35

Jl. went forwards 5/12

Sir,

I the undersigned wolud like to submit the following few suggestions pertaining to the rules regarding public service motor vehidles under the mysore road trafic & Taxes regulation for your kind consideration.

No, P.3355 Legis. 4635 dated 20th Nov. 35, " From the date of coming into force of these rules 27 to 30 B, both inclusive of M.V.R. 1924, etc, shall be of no effect." As per the above rule, the conditions under the above permit G. have been cancelled. The fitness certificate of motor vehicles are carried on now under the condition 6 of " G " permit. What will be the proceedure for the peroidical inspections of the motor vehicles henceforth?

Shedule (ii) C. Is there no milage cess or any other cess for motor Cabs other than service tax ?

Rule 30. (ii). Tax on relief busses is not mentioned, in the rules. But the draft bill has clearly laid out this in para 3, section 9, sub-clause 4, As per the above rule, can a proprietor have any number of spare busses on a scale fixed by the board with out paying service tax & other taxes?

Rule 43. Since the drivers have to attend on the engine or steering as occassions demand, it may be inconvenient to open the coat & again button it up with unclean hands. 2) As it would be very hot & sultry near the engine closed collars will not suit them and I think that open collar coats would suit them & as such this would be preferable.

Rule 69 & 70. Regarding the speed governers, to be fixed to control speeds, I would like to suggest that this would minimise accidents and rash driving, but as far as I have come in contact

contact with a number of the motor accidents, most of the accidents have occured in down gradients. The drivers pickup a little speed in the down gradients & manage to bring the gear to neutral or keep the clutch in the " Off " position, thereby increasing the speed even up to 40 or 50 miles. Since the clutch will be off, even if the governers are fixed this speed cannot be controlled. The present regulation & the proposed rules do not prohibit the drivers to run in neutral or in clutchoff position. Unless this could be enforced, the fixing of the governers at extra costs & much inconvenience will be of any use practically.

Rule 81. B & C. Many of the buses in this district & as also in the other districts do not have clearerspace of 11 inches as per clause B, and 19 inches as per clause C, with regards to the sitting accomodation. As the breadth of the seats is not specified the propritors manage to cut the present seats breadth-wise, to have a clear space of 11 inches & 19 inches respectively. In that case the breadth the seat may even become 6 inches. For passengers travelling for long journeys 6 inches seat space in the breadth would be very uncomfortable. Hense I propose the breadth of the seat should also be fixed up & it should not be less than 10 or 12 inches.

By allowing 15 inches per passenger length-wise, the seating capacity of every bus, is reduced by about 3 or 4 passengers. There are about 60 buses certified by me in this district and there would be a loss of about 240 seats, ie. about Rs. 7000/- in service tax. Though there is a considerable loss to government yet there is comfort to the travelling public. This may be kindly noted.

Rule 89. The length of a motor lorry is fixed to be not more than 27' 6". As per the present existing rule —(The extension of the body behind the rear of the chasis should not exceed 7/24 of the overall length of the vehicle recoming from the centre of the rear axle) the extension behind the rear of the chasis does not exceed 5'-6" and the overall length of a motor lorry or bus, now does not exceed 19 feet even for 157" or 13 feet wheel base chasis. Even the manufacturers do not allow a longer body. As per the new proposed rules for chasis of

of 159 inches wheel base, there would be an extension of (330"-159") 173 inches or 14'-7", behind the rear of the chasis from the centr of the rear axle. This length of the body of about 14 feet on a bus of 13 feet can not suit, therby giving room for accidents & danger. Hence this may be kindly considered, as I am of the opinion that this is an important factor.

Rigid framed six wheeled vehicles do not mean a dual wheel vehicle or a vehicle having three sets of wheels behind the other. Since these are two seperate types of vehicles the construction of the body as per the above rules is no clear.

Are the new rules to be followed from the 1st of January 1936, while the inspection of the vehicles take place ? If the new rules come in to force & they are enforced during the inspections then, many of the buses in this district can-not be passed.

Rule 12. Regarding the inspection & certifying authorities of public service motor vehicles the present system of the control is not in the interest of public safty. For a bus found unfit in one jurisdiction may be certified to be fit in another district, as there are many instances to go to prove the above. There are many certifying officers such as The Superintendant, of Police Superintendant of Industries, Executive Engineer, & the Bus Inspector. Who are all examining the buses & issueing Fitness certificates, for the vehicles plying for hire. There is absolute ly no und-erstanding between the above certifying officers & the bus owners whose buses are condemned at one place get it certified as fit at another place very diplomatically. The rules should so provide that no room is given to such things to take place & the buses that are condemned at one place should not be certified at another. To enable this some proceedure should be thought off & the proposed rules should have a clause to this effect.

I have herewith submitted the above representation for the kind consideration of the Mysore Road Traffic Board in view of the difficulties that are being now met.

The new rules may so be modified as to contain provision on the above suggestions,

Since the " G " permits have been abolished, I would like to know what other permits are issued forthe buses.

I beg to remain, Sir,

Your most obedient servant,

A. N. Varadarajulu

BUS INSPECTOR, Tumkur District.

Tumkur,
Dated 5th Dec. 35.

THE

MYSORE DISTRICT AUTOMOBILE ASSOCIATION,

(REGISTERED UNDER SOCIETIES' REGULATION.)

MYSORE,

Dated 8th December 35

Ref No. A.A.32/35-36.

M.Venkatesa Iyengar Esq., M.A.,

The Secretary to Government,

General Department, Bangalore.

GENERAL SECRETARIAT
9 DEC. 1935

Dear Sir,

I have the honour to submit herewith for the kind consideration of Government the resolutions of a General meeting of the Mysore District Automobile Association on the Draft Rules relating to Road Traffic recently issued.

In doing so I may be permitted to point out that it was the excessive taxation which caused the outcry of motor bus-owners in October 1932 in consequence of which the Motor Transport Committee was appointed in order to enquire into the whole matter. The Regulation which has resulted therefrom, and the Rules now proposed, the Bus-owners regret to state, instead of reducing the weight of taxation, serve only to systematise it, as also to practically drive out the short distance permit-holders on whom the burden will become heavier than ever before. I beg to commend this matter for Government's benign consideration.

The suggestions contained in the enclosed resolutions, made in the light of the experience of some mebers of the Association who are permit-holders in the neighbouring British Territories also, so that our Rules may not be harsher than elsewhere. I am

THE

MYSORE DISTRICT AUTOMOBILE ASSOCIATION,

(REGISTERED UNDER SOCIETIES' REGULATION.)

MYSORE,

Dated 8th December 193

Ref No. A.A.32/35-36.

I am to request Government to consider them in the best light, and modify the proposed Rules on those lines, and give them a trial. If they prove unsatisfactory in the working, they may later on be amended.

I have the honour to remain,

Dear Sir,

Yours sincerely,

G. R. Joyce M.A., F.R.E.S.,

President.

Enclo 1 Resn

Proceedings of the General Meeting of the Mysore District Automobile Association, Mysore held at the Daria Dowlath Bagh, Serangapatam on 2-12-35.

Resolutions.

1. With regard to the Draft Rules published by Government relating to Road Traffic, the Association submits the following amendments:-

(i) Clause 8: That since the sale or loss of a bus might, according to this Rule, mean the lapse of the service and Road Taxes also paid by the owner on the route, the two things should be distinguished, so as to remain independent of vehicle Tax paid on the particular bus.

(ii) That the existing practice of permitting transfers of service by the licensing authority as in British India, should be continued as otherwise investors will be put to heavy loss.

(iii) That the levy of a fee of Rs.100/- from heirs on the death of a permit holder is not equitable, and prevails under no ~~xxxxx~~ other Government, and therefore should be omitted.

(iv) The sub clause "m" in section 13 authorising Police Constables to check will give rise to untold hardships, and should be omitted as sub-clause "n" covers the required object of Government.

(v) Clause 30 (i): The Association is opposed to demanding the deposit of Rs.1000/- ~~from by~~ permit holders.

(vi) Sec.30 (2) Spare buses insisted on by the Board as suggested in Sec.30-2 should be charged Registration fees only.

(vii) With regard to the service Tax paid on buses, and their refund for disuse in the middle of a quarter, the rates may be fixed on the lines that are in force in the Madras Presidency.

(viii) Sec.64. That the Rules about the structure of buses should apply only to buses hereafter to be licenced, and not to the existing ones.

(ix) Restrictions should be imposed in the Rules on buses coming from outside, i.e., British Territory, corresponding to those in British India against State buses.

(x) Prosecutions for over-loading and over-speed should not be laid against proprietors, but against the drivers and conductors.

(xi) Sec.71.C.D. The painting of speed limit and proprietor's name on buses is meaningless and unnecessary.

G.R. Doyer M.A., F.R.E.S.,
Chairman.

No. A. 1099/35
Encl

OFFICE OF THE DISTRICT MAGISTRATE,
MYSORE DISTRICT,

Dated, Mysore 7th December 1935

From

B. T. Kesavaiengar, Esq., B.A.,
District Magistrate,
Mysore District, Mysore.

To

M. Venkatesa Iyengar, Esq., M.A.,
Secretary to the Government of Mysore,
General Department, *Bangalore.*

SIR,

With reference to your No.P. 3445-53/Legis. 46-35 dated 27th November 1935 inviting my attention to Government Notification No.P. 3355 dated 20th November 1935 published in the Mysore Gazette dated 21st November 1935 notifying draft rules regarding public service motor vehicles and calling for my suggestions in respect of the said rules, I have the honour to state that the provisions contained therein are sound and adequate for the administration of the newly introduced Mysore Road Traffic and Taxes Regulation and may be adopted.

I have the honour to be,

Sir,

Your most obedient servant,

DISTRICT MAGISTRATE,
Mysore District.

NRS

3473 2b 174

THE MYSORE MOTOR BUS OWNERS' ASSOCIATION

SRI NARASIMHARAJA ROAD

No _____ Bangalore City 9th Dec. 1935.

To.

The General Secretary to the Government of
His Highness the Maharaja of Mysore,
Public Offices, Bangalore.

Special Officer
ISR 11/12
17/12

Dear Sir,

I have the honour to inform you that the Rules publish-ed in the Mysore Gazette in respect of the Mysore Road Traffic and Taxes Regulation were considered by the Executive Committee of the Association. I am directed to forward the following remarks in so far as it affects the bus-owners generally.

Reference	Remarks
1. Note 2 of Sub Section 8 on page 422 of the Mysore Gazette: it is stated that vehicles while returning empty after delivery of materials or going to fetch materials are liable to pay toll.	My Committee consider that it is only fair that exemption from payment of toll should apply for these journeys also in as much as the journey is made with a view to convey or after conveying Government materials.
2. Sub Sec: 3, Rule 2, on page 427: states that short term permits may be granted:	My Committee are of opinion that these permits ought to be confined to only permit-holders of the route and should not under any circumstance be given to people who do not regularly run buses on such route. This suggestion is made because it has been found in practice that the

there is always a rush of people for special trips during feasts, fares and other such like special occasions, who unmindful of their own good, compete in such a manner that the fares are miserably reduced; and the net result will be that the extra traffic benefits no one. If the issue of permits be limited only to those people on a particular route, they will not unnecessarily compete amongst themselves, nor will they reduce the fare.

As the usual fare has to be charged by bus owners for hire, it is only fair that the fee to be charged by Government must be the same as in the case of ordinary permits.

3. Rule 4 on page 428 of the Mysore Gazette: it is stated that special conditions may be attached regarding fares or rates to be charged.

My Committee wish to state in this connection that in any case the rate to be fixed shall be the same as the usual third class fare that is charged from station to station on the same route by the Railway.

4. Rule 7 on page 429 of the Mysore Gazette: it is stated that the permit shall be open to inspection by a police officer.

My Committee wish to state that it would be better if it is clearly stated that the Police Officer shall not be below

below the rank of an Inspector, as it now in force.

5. Rule 8, Sub Sec: 1, on page 429 of the Mysore Gazette: states that the transfer of permits will not be allowed.

My Committee consider that the operation of this rule will act as a great hardship on bus owners who wish to retire from the business, because buses as such cannot have any demand or re-sale value unless they are permitted to be used for passenger traffic. It is only right that a person who has invested a large sum of money should be allowed to recoup himself when he wants to get out of business. My Committee do not see any harm to Government in accepting the transfers or assignments if the person to whom the permit is to be transferred or assigned is a desirable one. If the person is an undesirable one, such application for transfer or assignment may be rejected. But transfer or assignment must be permitted if the new person is a proper and fit one to carry on the business. Such transfers of permits are permitted in Madras and other places. It stands to good reason that any business which has been built by a person should not be allowed to go waste simply because he wants to retire

it is not known if the wording of the Sect has to be altered, because it seems even to forbid the permit-holder from selling a vehicle. If an owner finds a vehicle too old and sells it only to put in a new one, he should not be penalised by the lapse of the permit.

6. Sub Sec: 2, Rule 8 on page 429 of the Mysore Gazette: states that a fee of Rs.100/- shall be payable for transfer of permit to legal heirs.

My Committee consider this fee to be exhorbi-ant. No transfer fee should be levied

7. Rule 9 on page 429 of the Mysore Gazette: it is stated that a fee of Rs.5/- shall be paid for the issue of a duplicate permit:

My Committee consider that this fee may be reduced to Re.1/-, as the issue of a duplicate does not mean any expense to Government.

8. Rule 11 on page 429 of the Mysore Gazette: contemplates insurance against third party risks.

Though it is stated that this rule will come into force in each District or Area, on and from the date to be notified by Government in the official Gazette in this behalf, my Committee desire to inform that it is not at all possible under the existing conditions to insure, as bus-owners are at their wits' end even to meet the existing taxation which is itself excessive. The business at the moment does not at all warrant an expenditure of this kind, as

as earnings are considerably affected and on many routes buses being too numerous are made to run only on alternate days.

9. Sub Sec: 3 of Rule 12 on page 430 of the Mysore Gazette: it is stated that the registered owner shall be entitled to call upon the Inspecting Authority to inspect the vehicle within 7 days and shall in that event be bound to produce the said vehicle for inspection at any reasonable time and at any place specified by the Inspecting Authority.

My Committee consider that it would be more advantageous and more practicable if it is stated that the Inspecting Authority do inspect the vehicle when it is produced before him during working hours. The bus-owner will find out the whereabouts of the Inspecting Authority and produce the bus during working hours and as such any notice to the Inspecting Authority is considered unnecessary. It is advantageous to the bus-owner to have his bus certified as soon as it is put into proper working order and hence no time should be lost to complete the inspection.

10. Rule 25 on page 435 of the Mysore Gazette: it is stated that the Board will fix the fares that are to be charged.

My Committee wish to state that the rates that may be fixed shall be the same as the third class fare between station and station if the route should happen to lie along the railway route.

11. Sub Sec: 1 of Rule 30 on page 436 - it is stated that the deposit not exceeding Rs.1000/- for each service be insisted upon.

My Committee are of opinion that persons with property qualification may not be asked to pay this cash deposit. If a person could satisfy that he has enough pro-

property which will enable him to carry on the business, cash deposit must be considered as superfluous. If a person is unable to produce proof of any property, my Committee are of opinion that the demand of a cash deposit in such a case be insisted upon.

12. Sub Sec: 2 of Rule 30 on page 436 - it is stated that spare buses shall be maintained on a scale to be fixed by the Board.

My Committee are of opinion that for every six buses running or less, a spare bus may be allowed. They are also of opinion that vehicle tax and road cess should not be charged in the case of these spare buses, since they are only used in cases of breakdown of the vehicles used regularly. As these taxes have already been paid for buses on regular service, it is only just that the spare buses ought to be exempted from payment of taxes. Though it is no where stated that spare buses will be charged these taxes, my Committee wish that this point should be made explicit.

13. Rule 31 on page 436 of the Mysore Gazette: contemplates the grant of monopoly for the Railway Department on routes that compete with railways.

My Committee do not wish that people who have invested large sums of money and are running on Railway competing routes should be asked to make room for the grant of monopoly for the Railway Department. They feel that the Railway Department may also be treated

treated as individual applicants on these routes and be allowed to run along with the existing permit-holders, if vacancies should occur. If the permits are bought over by the Railway Department, my Committee do not at all feel that any injustice has been done to the existing permit-holders. Government may be anxious to grant monopoly to the Railway Department. But in their anxiety to help the Railway Department, private individuals should not be made to suffer.

14. Sub Sec:2-A of Rule 32 on page 437 of the Mysore Gazette: states the fares shall not be unreasonable.

My Committee wish to reiterate that the minimum fares that may be fixed must be the same as the third class railway fare.

15. Rule 36 on page 438 of the Mysore Gazette: contemplates the grant of monopoly of service on roads other than those competing with Railways.

While favouring the grant of such monopolies, my Committee desire to state that no existing permit-holder should be disturbed by such a grant. If all the permit-holders of a certain line should agree to combine into a Company and if this Company should aks for monopoly, my Committee feel that such a case deserves favourable consideration..

16. Sub Sec: 4 of Rule 37 on page 439 of the Mysore Gazette: it is stated that in the selection of short term permit-holders, preference may be given to those who hold permits for

My Committee wish to repeat that these short term permits should be given only to those who hold permits for providing regular motor bus service on such routes. They do not

providing regular motor bus service on such routes:

not wish that other outside permit-holders should be allowed to ply on these routes.

17. Sub Sec:2 of Rule 40 on page 440 of the Mysore Gazette: states that a fee of Re.1/- shall be charged for the conductor's permit.

My Committee wish to state that a fee of Re.0-8-0 is sufficient for this, as it is up-to-now, since the conductors as a class are poorly paid.

18. Rule 43 prescribes the dress for conductors and drivers:

My Committee wish to suggest that the head dress may be cap or turban or hat in the case of drivers and conductors.

19. Rule 46 on page 442 of the Mysore Gazette: states the hours on duty of drivers.

My Committee wish to state that a continuous period of only six hours is too short seeing that there are a number of services which require atleast 8 hours to reach the destination. They are also of opinion that duty for continuous period amounting in the aggregate to eleven hours is too short since in a number of cases proprietors make ample provision of interval and leave; hence the continuous period amounting in the aggregate be changed to 14 hours. They wish also that the ten consecutive hours of rest in 24 hours be changed into 8 hours rest in the night and 2 hours in the day.

20. Rule 48 on page 442 of the Mysore Gazette: states that no compensation shall be allowed by closing of roads and bridges to motor traffic:

My Committee feel that it is only equitta that a refund of taxes for the period that the services are stopped should be allowed.

21. Rule 64 to 86 on pages 448 to 451 of the Mysore Gazette: contain directions regarding construction and equipment of motor vehicles.

My Committee feel that these rules ought not to apply to buses that are already on the road. They must be made to apply to new buses that may be put on the road after these rules come into force.

22. Rule 66 on page 440 of the Mysore Gazette: states no celluloid shall be used inside or outside of any public service vehicle.

My Committee wish to state that Celluloid is used for side curtains in buses and cabs. Hence this is absolutely necessary and its use ought not to be prohibited.

23. Sub Sec: C.& D. of Rule 71 on page 449 - it is stated that the maximum speed permissible and the name of the registered owner should be exhibited in a conspicuous place on every cab or motor bus.

My Committee feel that these are unnecessary as this information is always available from the permit which is carried on every public service vehicle.

24. Rule 72 on page 449 of the Mysore Gazette: it is stated that a fire extinguisher should be carried:

My Committee consider that this is also unnecessary as it is very difficult in public service vehicles to carry such articles. If necessary, it may be legislated that passengers ought not to smoke in any public service vehicle when they

they are sitting in it.

25. Rule 76, Sub Sec:2, on page 449 of the Mysore Gazette: it is stated that every motor bus shall carry 2 spare tyres properly inflated on a rim or wheel.

My Committee are of opinion that one spare tyre properly inflated on rim or wheel is enough and that one spare tyre and tube only be carried in addition, as it is now in force.

26. Schedule 1-A states the rates of fee for composition of tolls on motor vehicles:

My Committee are of opinion that the rates fixed for motor cars weighing not more than 15 cwts. and 30 cwts. are too high. In addition to the vehicle tax that these have to pay, it will be found that in the case of car weighing not more than 15 cwts., the total amount payable will be Rs.60/- plus Rs.24/- or Rs.84/-. In the case of cars weighing not more than 30 cwts., the total amount payable will Rs.80/- plus Rs.36/- or Rs.116/-. But in the neighbouring Presidency of Madras, such car pay only Rs.70/- and Rs.100/- respectively, and they are privileged to go throughout the Madras Presidency without paying any further toll or tax. The rate of composition of tolls should therefore be considerably reduced.

Schedule II-C - Service Tax on page 420.

My Committee are of opinion that the levy of Rs.7-8-0 per quarter on every seat on motor buses let or plying for hire solely within a Municipality is considerably excessive. At present these buses are paying about Rs.25

The increase will be more than double the existing tax. Considering that a number of these vehicles have to pay a further sum as tax for running in the Cantonment area, it is only fair that the existing rate should not be enhanced. The cantonment Municipality charges only Rs.50/- per each bus and they do not impose any further tax on the bus owner. To copy the rules existing in the City of Madras is not at all fair since Bangalore City cannot boast of the same traffic same climate, same business and same earning capacity in the public as in Madras. It will only spell utter ruination of the existing bus owners if this excessive sum is demanded.

My Committee also feel that a levy of Rs.7 per seat on routes graded as class I by the Board will work great hardship on a very large number of bus owners. The majority of bus own do not pay any toll. These will now have to pa a sum of Rs.560/- per bus to Government in the shape of this new tax known as the "Service Tax The majority of services are running on alternate days because the number of licensees having increased and enough traffic is not forthcoming for all of them. With such meagre income, it is practically impossible that these people

peopl

people could bear a fresh burden of taxation to the tune of Rs.560/- per year. It is therefore absolutely necessary, if the intention of Government is not to drive these people to despair and ruination, that this new tax should not be imposed on buses which pay no toll at present.

For roads graded as Class II, a Service Tax of Rs.440/- is now demanded. These roads are not only bad, but there is also not enough traffic. Being short distance traffic, their income is comparatively poor and hence it is impossible that these people can bear a taxation of this kind.

My Committee therefore have taken all these points into consideration and feel that this fresh taxation, known as "Service Tax" should not be introduced at the moment as the busines is in its lowest ebb. They therefore feel that if any tax at all has to be introduced in lieu of tolls, it should be according to the number of tolls that each bus owner is now paying. But the "Service Tax" should not under any circumstance exceed what the bus owner is now paying in the shape of tolls.

Schedule II-D, The mileage cess for motor buses when plying on special permits is nine pies per mile.	My Committee consider that the wear and tear of the road is no more whether a bus is plying with an ordinary or a special permit and therefore in this case a fee of six pies per mile should be charged.

Conclusion:-

When the bus owners approached the Government at the time of the introduction of the Double Cess, they were told that a Committee would be appointed to go into the question of affording relief. But it is very sad that this Committee has only proposals of enhanced taxation and no material reliefs. The Dewan Sahib has assured the bus owners that in this new arrangement, Government do not want more revenue, but would be satisfied with what they are getting. A close examination of the proposed levy unfortunately reveals the fact that the new rates are more kind towards people who were considered to be troublesome to Government, for example (i) people on railway competing routes are no longer required to pay double rates - ofcourse a just decision, (ii) people who are paying two or three tolls are greatly benefitted. These rules thus favour only a small section and not the entire community of bus owners. Logically, the user of the road should pay for its use. When relief can be granted to a person using over 90 to 100 miles of the State road, why grudge the same relief to a person who uses only 25 or 30 miles and does less damage to the road? Even from a point of equity, he has a claim for more consideration, as his earnings will be comparatively less. It therefore behoves that the service tax should not be imposed on all bus owners. It ~~is~~ must be made optional. If the bus owner choses

choses to pay toll as now in force, let him be allowed to do so. But if he thinks that the service tax is more advantageous, let him pay service tax. Car owners have been given option in this matter. They may pay a fee for composition of tolls or continue to pay tolls. Why then should the bus owner be deprived of a similar advantage? As the service tax is introduced in lieu of tolls, let the bus owner pay the service tax or continue to pay tolls as it suits them. If this concession be allowed, it will remove the rigour of the new levy. There will then be a great chance of the new rules being worked out to the satisfaction of one and all.

I have the honour to be,

Sir,

Your most obedient servant,

Secretary
The Mysore Motor Bus Owners
Association.

S 22 335

SRI SRIKANTESHWARA MOTOR SERVICE

ESTABLISHED 1922.

M. S. KRISHNASWAMY
Proprietor

No. 1, II Cross Road
Basavangudi
BANGALORE CITY

188

No. Dated 11th, December, 1935.

GENERAL SEC'T, 11 DEC. 1935 PM

To
The General Secretary to the Government of
His Highness the Maharaja of Mysore,
Public Offices, BANGALORE.

Sir,

With reference to the Draft Rules - Ref. No. 3355-Legis 46-35, dated, Bangalore, 20th November 1935 - I who is owning three buses and three licenses to run on Bangalore-Hosur Road upto the State limits, wish to submit that the proposed levy of enhanced taxes will penalize the bus business. I furnish below a statment which will show what I have been paying now and what I will have to pay in future annually :-

FOR ONE FULL YEAR FOR EACH BUS.

	A At present.	In future.
License fee, i.e. Road Cess to Mysore Govt.	480- 0-0	480- 0-0
'G' permit fee -do-	8- 0-0	0-0 -0
Brake certificate fees	20- 0-0	0- 0-0
Municipal Tax B' City.	30- 0-0	0- 0-0
Toll gate fee at the Frontier gate, Attibele (compounded)	400- 0-0	400- 0-0
Service Tax on 21 seater at Rs. 7/- per seat	0- 0-0	588- 0-0
Total Rs.	938- 0-0	1468- 0-0

Thus it is clear that I have to pay more than Rs. 500/- per bus annually in excess of what I have been now paying. Besides I have also to pay the Madras Government (Salem-District) a sum of Rs. 1298-0-0 annually.

The taxation in Madras Presidency will enable me to run through out the District and I am allowed to make any number of trips in a day. Moreover the taxation in Salem District for covering a distance of 60 miles single journey, that I am now covering is certainly lighter when compared with what I have to pay in future in Myosre for running only a distance of 20½ miles, from Bangalore upto the State Limits.

I therefore humbly request the Government not to enforce the enhanced levy of the tax as fresh taxation cannot be borne by me who is only running a short distance, in Myosre. I will be subjected in future not only to the levy of a new tax called the Service Tax, but also continue to pay at the Frontier Toll Gate that I am doing now at Attibele. If I am not exempted from the payment of Frontier Toll gate fee, I request that I may be kindly exempted - from the payment of the 'Service Tax'.

I also wish to inform you that the number of buses on this line are 20 and as all the 20 cannot find traffic each day, the busses are made to run on alternate days. In spite of this, our income is so meagre that we are unable to make both ends meet.

I, therefore, pray that no more burden in the shape of fresh taxation be imposed on the bus-owner.

Thanking you in anticipation.

I beg to remain,

Sir,

Yours most obediently,

Proprietor.

3542

S. L. N. CITY BUS SERVICE

NO. 5, KRISHNARAJENDRA ROAD.

Bangalore City 11th Dec. 1935.

To

GENERAL SECRETARIAT
12 DEC. 1935

The General Secreatary Of The Government,

Of His Highness The Maharaja Of Mysore,

Bangalore.

Special Offg

Respected Sir,

With Reference to Rules regarding Public Service Motor Vehicles, Published in part IV of the Mysore Gazzette dated 21st November 1935, and calling for Public opinion there on, in your letter No. P 3355 - Legis 46-35 dated 26-th Nov. 1935, I beg to state as follows.

I have carefully gone through the Rules and the Schedules relating thereto and I am of opinion that on the whole they are satisfactory having in view the importance of efficiency in Service and of eliminating the risks of Motor Accidents. Abundant provission is made to secure safety in Motor travelling for which the Public is thankful to the Government.

There is however one aspect of these Rules which deserves reconsideration of the part of Government. From point of Revenue to Government they are rather severe on the Proprietors of Public Service who, due to heaviness of taxes, are sure to come to grief in the long run. Public Service Motor Vihicles, it need not be stated, is in its very infant stage in the Mysore State at present. It is an industry for National growth in view to develop Trade, Commerce, and Public Life as a whole with the rapid increase of the Motor Vihicles service, the revenue income must necessarily increase in leaps and bounds. But if the Industry is burdened with heavy taxes in its initial stages, it goes without saying that it will be killed early and thereby cause loss of Revenue in large volume that is sure in the long future. If Proprietors meet with loss at the commencement only, it will have a depressing effect on the enterprising capitalists desiring on investment in this derection.

It is therefore suggested that the Rules dealing with Taxes may be so revised to put courage in those that are already in the field as otherwise there is the fear of their with-drawing from it looking at the heavy expenses involved under the new Rules. A few of such items are noted here under:-

Schedules II C & II D deal with Service Tax and Mileage Cess respectively. Service Taxes are imposed without reference to the length of Service i.e. it is one and the same whether the License of Service extends over 20 miles limit only or 100 miles limit only. Mileage Cess of Six Pies per Mile on regular Service is excessive.

S. L. N. CITY BUS SERVICE

NO. 5, KRISHNARAJENDRA ROAD.

Bangalore City..... 193

Rule II deals with insurance against third party risks. This is unnecessary at present and it can wait till Public Service Business becomes Popular and more people come to be attracted by it. At present it benefits only the Insurance Companies which may be started for this purpose.

Rule 30 (1) concerned with deposit not exceeding Rs. 1000/- in the case of certain permit holders may be dispursed as there are offer safe Guards to secure regular and efficient Service or to meet the contingences of breach of Rules and conditions of the Permit.

The Public may be given time for offering suggestions on these Rules as the time now given is too short and the date of giving effect to these Rules may be put off to a more distant date than 1st, Jan. 1938.

I beg to Remain,
Respected Sir,
Your Most Obedient Servent,

S. L. N. [illegible]

3543 35

In future correspondence please quote this
No. J.C.1541/35-36.
Encls.

OFFICE OF THE DISTRICT MAGISTRATE,
KOLAR DISTRICT.

Dated Kolar, the 10th December *1935.*

19

FROM

T. G. RAMA IYER, ESQ., B.A.,
District Magistrate,
Kolar District.

To

K. Venkatesa Iyengar, Esq., B.A.,
General Secretary to the Government of Mysore,
Bangalore.

GENERAL SECRETARIAT
12 DEC. 1935

SIR,

With reference to your letter No.P.3445-52/Legis.'35-36, dated 27th November 1935, requesting me to forward my suggestions in respect of the draft rules regarding Public service motor vehicles, I have the honour to state that the rules are suitable and may be approved.

I have the honour to be,
Sir,
Your most obedient servant,

District Magistrate,
Kolar District.

Through the kind support of the Mysore District Automobile Association, Mysore.

To

The Secretary to Government,

General Department,

Public Offices, BANGALORE.

Respected Sir,

GENERAL SECTION
12 DEC. 1935

The Draft Rules regarding Public Service Motor Vehicles, published in the Mysore Gazette, dated: 21-11-35, may be amended in the light of the suggestions submitted below.

(1) Rule 23 (iii)b. - In this " Other than " may be replaced by " though "

For the services should be classified as " Through services " or " Local services " on the basis of distance or entire mileage of each service. And, services running for short distance in"through roads" may be classified as "Local services".

(2) Under the New laws, services now run for short distances have absolutely no chances of survival, since they will be subjected to double taxation - service tax and mileage cess. Sometimes there will be a third taxation in the form of toll

on services run on newly constructed bridges. i.e. Mysore - Tirumkudlu Narasipur services.

Hence it is prayed that short distance services may be ordered to pay either mileage cess or service tax ordinarily. And when they pass on newly constructed bridges they may be ordered to pay service tax or Toll in addition to mileage cess.

(3) The interest of Bus Services may be protected against the unhealthy competition of motor cabs. In this connection the following points deserve sympathetic consideration.

(A) Motor Cab stands should be separated from the Bus Stand.

(B) System of "J" permits on deposit of Rs. 50/- at a time may be introduced for all motor cabs in order to make them pay road cess for the trips they make during the currency of the permit. "J" permits were in force some time back and the same may be revived. The rate of mileage cess to be levied on motor cabs may be atleast three pies per mile.

Yours most obediently,

S. Sangeeh.

MYSORE,
Dated 11th Dec.1935.

3544
P 0

THE

MYSORE DISTRICT AUTOMOBILE ASSOCIATION,

(REGISTERED UNDER SOCIETIES' REGULATION.)

MYSORE,

Dated 12th Dec. 1935.

Ref No. A.A.33/35-36

M.Venkatesa Iyengar, Esq., M.A.,

The Secretary to Government,

General Department, Bangalore.

Spl office
pre
17/1

Dear Sir,

I am desired by the members of the Association, that continuation of this Office letter No.32/35-36 of 8-12-35, to submit to your honour further objections for the Draft Rules published in Mysore Gazettee dated 21-11-35 given by one Mr. S.Sangiah B.A., Proprietor, Sangameswara Motor Service, My. re and pray that the suggestions given therein may kindly be favourably considered in the best interest of the bus services running for short distances.

I have the honour to remain,

Dear Sir,

Yours most obediently,

Srinivasaiyengar

For Honorary Secretary.

Encl.1.

WRM A 248-1000-8-4-35

All communications should be addressed to the Agent, Mysore Railways, Mysore by TITLE, not by NAME

SS 45 P 35

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MYSORE RAILWAYS

AGENT'S OFFICE,

Mysore, 11th December, 1935.

No. 4674 Fl.

Encls. one Sketch.

From

THE AGENT,

Mysore Railways,

MYSORE.

GENERAL SECRETARIAT 12 DEC. 1935

To

The SECRETARY
to the Government of His Highness the Maharaja of Mysore, General Department, Bangalore.

Special Officer 12/12

Rules regarding Public Service Motor Vehicles.

With reference to Government Notification No.P.3355/Legis.46-35 dated 20th November 1935 on the above subject, I have the honour to offer the following remarks on para 31 of the draft rules dealing with the question of the State Railway Department being given the monopoly for running bus services on roads competing with Railways.

2. The sub para (ii) of draft rule 31 lays down that "the monopoly shall be in respect of roads competing with -- Railways running parallel and close to the Railway." It appears to me that the last seven words are likely to be misinterpreted. There is no road absolutely parallel to the Railway and the words "close to the Railway" are rather indefinite. I think it should be left to the Road Board to decide whether a particular road is competing with the Railway and the main factor in deciding it ought to be whether the same important towns are served both by the Railway and the road over approximately the same lead. It is not possible to define this more clearly and the words "parallel and close to" are likely to be misunderstood.

3. Sub para (v) of Rule 31 is so drafted that the

exemptions from the monopoly can practically nullify the effe of the monopoly or in other words different sections of a roa on which the railway has a monopoly can be thrown open to competing services in such a way that the monopoly will be quite ineffective. In spite of the monopoly, traffic from feeder roads will be definitely excluded from the Railway and for traffic between points both of which are on the Railway it will have to compete with other services. This is not a theoretical objection or a remote contingency. In the very first case of the Railway running a bus service,a difficulty of this kind has cropped up vide my letter No.253 dated 25th. October 1935. The Railway has been given a monopoly of the road between Shimoga and Sagar. I attach a map showing the Railway and the roads connecting Shimoga and Sagar. At present there are 3 buses each way plying between Shimoga and Sagar, via. Kumsi, 3 each way between Shimoga and Hosanagar via. Ayanur, Arasalu and Riponpet, and one service between Tirthahalli and Kumsi via. Riponpet and Anandapuram. The result is that different sections of the road have the number of services noted against them below:-

1. Shimoga Ayanur.	6	each way.
2. Ayanur Anandapuram.	3	" "
3. Anandapuram Sagar.	4	" "
4. Ayanur Arasalu Riponpet	3	" "
5. Riponpet Anandapuram.	1	" "

On the grant of monopoly to this Department,notices were served on the direct bus services between Shimoga & Sagar that the licenses would not be renewed. This reduces the Shimoga Ayanur services to 3, Ayanur Anandapuram to nil and Anandapuram to Sagar to 1. It was understood that the bus owners of the Shimoga Hosanagar and Tirthahalli Sagar services arranged to combine and carry Shimoga Sagar passengers via Arasalu, Riponpet and Anandapuram. With this view a second service was started or was about to be started between Tirthahalli and Sagar. The District Magistrate was requested to cancel the Tirthahalli Sagar licenses between Anandapura

Sagar, at least and kindly did so; but, I understand there have been protests. Section (v) of draft rule 31 lends support to the protests and if it is upheld, then the railway ceases to have a monopoly for all practical purposes. The distance from Shimoga to Anandapuram is 35 miles by Railway while it is 30 miles by direct road and only 32½ miles by road via. Arasalu and Anandapuram. This incidentally also shows the risk involved in defining a competing road as in sub section (ii) of rule 31 vide para.2 above. The Railway does not want to prevent access for Tirthahalli people to Sagar but merely to protect themselves from unhealthy competition which underlines the idea of a monopoly. The Railway will run 3 services each way between Anandapuram and Sagar and there is no reason why the services from Tirthahalli should not connect with these instead of multiplying the services between Anandapuram and Sagar. I quite concede that either Government or the Board should have the power to license other buses on roads under a railway monopoly for special reasons; but this power is one to be exercised in consideration of the special circumstances of each case. I would suggest the substitution of the words "Government may exempt from such monopoly portions of such roads, etc.," for the words "The monopoly shall not apply in respect of the portions of such roads etc.," in sub para (v). In making this suggestion, I have taken into consideration the fact that under the sub para. the Road Board have the power to lay down rules and restriction under which the competing services may ply on portions of the monopoly roads. It however, requires a very elaborate executive machinery to see any such rules enforced and the rules do not provide for this.

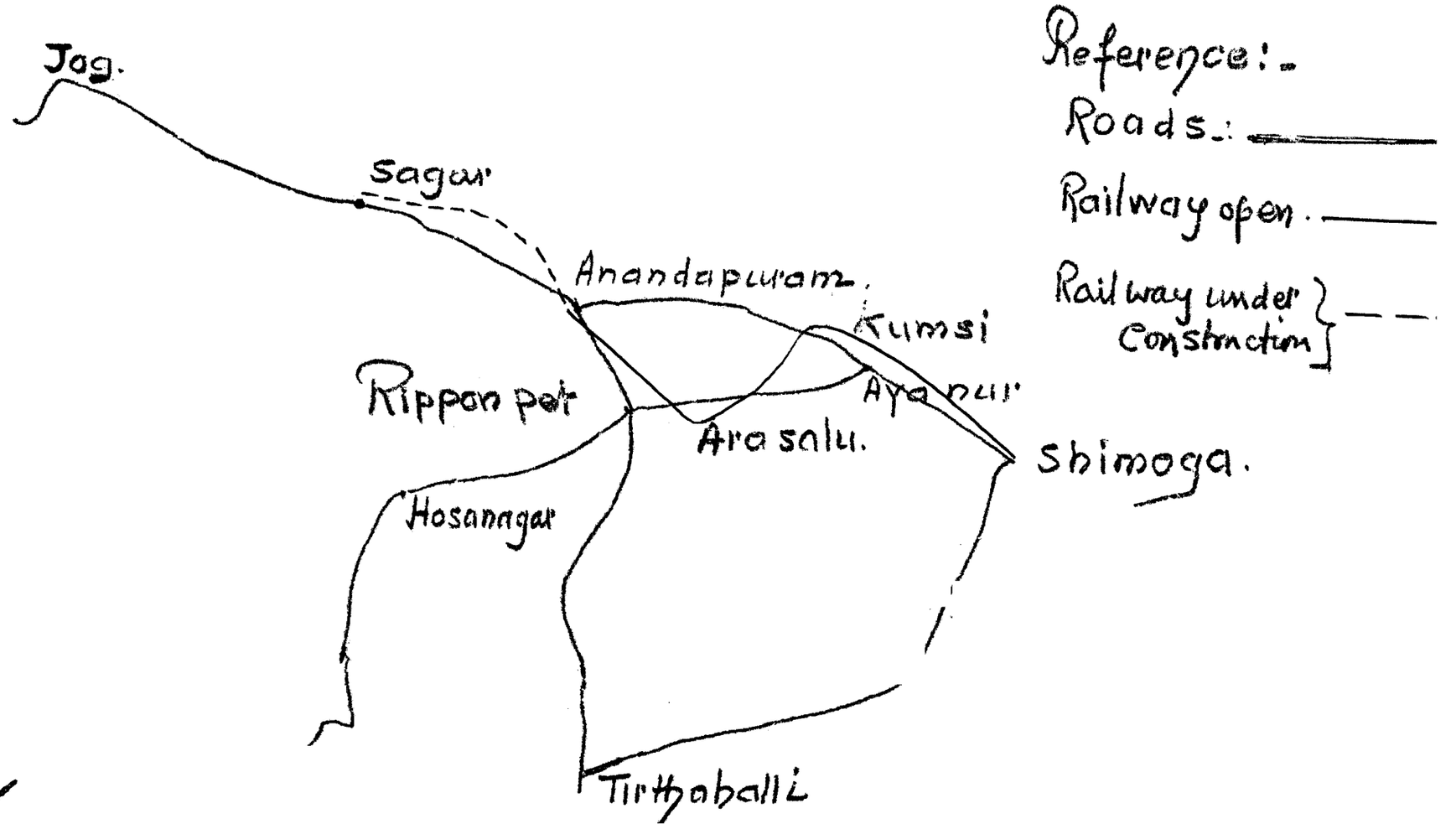
4. In order to secure real and effective monopoly on roads adjacent to the Railway, it may become necessary for this Department to run services on feeder roads also. The rules do not provide for this. There is of course no prohibition against this in the draft rules; but, the point whether any specific

mention is necessary may also be kindly considered.

I have the honour to be,
sir,
Your most obedient servant.

Agent.

MSAB.


Jog.
Sagar
Anandapuram
Kumsi
Ripponpet
Ayanur
Arasalu.
Shimoga.
Hosanagar
Tirthahalli
Reference:-
Roads:
Railway open.
Railway under Construction

11.XII.35

3622

S. R. T. MOTOR SERVICE

SSAN

201

PROPRIETOR:- B. CHELUVAIYA.

DEALERS IN MOTOR PARTS & ACCESSORIES.

RUNNING MOTOR SERVICES FROM:-

HASSAN 12th. Dece., 1935

Hassan To Saklaspur.
Hassan To Chickmagalur Via Belur. Ref. No
Hassan To Shravanabelagula Via Chennarayapatna.
Hassan To State Frontier Via Arkalgud, Ramanathapur, Basavapatna, & Konanur.
Saklaspur To Uchangi.
Hole-Narsipur To Basavapatna Via Arkalgud.

BANKERS:- THE BANK OF MYSORE Ltd., HASSAN.

To
The Secretary to Government,
General Department,
Bangalore.

GENERAL SECRETARIAT
14 DEC. 1935
Sir,

I beg to farward herewith for favour of consideration my suggesitions and objections to the proposed ~~Rules~~ Rules regarding Publice service motor vehicles No.P.3355-Legis.46-35 dated, Bangalore 20th. November 1935. appearing in the Mysore Gazette dated 21-11-35.

Spl Officer

14/12

I beg to remain,
Sir,
Your most obedient servant,
B. Cheluvaiah
Proprietor.

NORWEGIAN BOND

A GUIDE TO INVESTMENT IN NORWAY

Rule 1 requires amplification excusing the proprietor of of any public motor service vehicle for any overt action or breach of permit conditions by his driver without his formally countenancing such breach.

Rule 2. Short term permits or special permits may be issued to outsiders, only when the proprietor of the public service motor vehicle on the line is unwilling to afford short service to the public during feasts, fairs and other special occasions.

Rule 8:Transfer of permits :-

The owners of vehicles should be given liberty to sell their vehicles together with ~~its~~ their permits with the permission of the District Registering or Traffic Board as the case may be and no additional fees be charged during the currency of the previous permit. It is contemplated to charge a fee of Rs.100/-to the legal heirs of a permit holder on his death. This constitutes a kind of "death-duty". All permit holders and their heirs must be exempted from any such ~~XXX~~ payments.

Rule 11: Insurance against third party risks:-

The owners are already doubly hit by the retention of the heavy road-cess and addition of vehicle tax. To burden them with premia for the third party risks would be a real hardship. It may be pointed out that already foreign insurance companies are driving away huge sums of money out of the state every year . It is prejudicial to the interests of the state to swell the flow of Gold out side the state. Hence Insurance of third party risks may kindly be dropped. The current Criminal and Civil laws have not ample provision.

Rule 12:Inspection of Public service motor vehicles:-

Separately inspections for the fitness of the vehicles may be conducted by the officers concerned in the several centres of traffic. Requiring the production of the vehicle so often at the District Head quarters is inconvenient to all. The inspecting officers will have to stick to the head quarters for the period to the prejudice of emergent work outside. The public will be deprived of the transport facility for period in which the vehicle for inspection is the only service of the line the proprietors will be put to much unnecessary loss of time & money.

Rule 13:Trailers:-

However a vehicle with trailer gets out of order

motor vehicle competition event or practice or testing
conducted by this driver within the territorial boundaries of this
state.

Rule 3. Short term permits or special permits may be issued to
such drivers upon the production of the applicant's motor
vehicle operator's license and other satisfactory proof.

Rule 4. Upon the presentation of the application, proof
of the payment of the prescribed fee, and the execution by the
applicant of a release from liability to the state of this state
and to the promoter of the event, the secretary of state shall
issue to the applicant a permit for the event.

Rule 5. The permit shall be in the possession of the
applicant during the event and shall be exhibited upon demand
of any police officer.

Rule 6. The permit shall be void if the applicant
operates a motor vehicle in violation of the terms of the
permit.

while plying on/line, it is often necessary to keep the disordered vehicle to the nearest workshop and the passengers cannot be left on the road. In such cases this rule cannot be made applicable and so it has to be modified to suit all the contingency.

Rule 31 (1), qualifications of permit holders:-

The rules are already very hard and the Board has sufficient grip over the permit holders. In these hard days of financial dipression and consequent less traffic, the cash deposit of .1000/- would be a very heavy burden on the resources of any person and hence this impost may not be made; else the enterprise will be killed.

Rule 30 (1) Duty to trips:-

The owner of a bus may have urgent work abroad and he is bound to use it frequently. In such cases it will be very hard to obtain permit before hand for emergencies generally arise suddenly. This restriction may be removed in so far as the trip is made by the owner of the vehicle or his relatives.

Rules regarding the constructions of motor vehiles :-

The new type of buses may not be insisted upon the present holders of permits as they have invested much money over them. They may be replaced by new ones when they get old to serve the purpose.

General

It may not be out of place here to submit that a few constructive proposals were given to the motor transport committe. A copy of it is enclosed for kind perusal. They may be taken for what they are worth in connection with the proposed bill. B. Chakravarthi

The reply of S.R.T, Royal Mail Service, Hassan, to the questionnaire of The Motor Transport Committee, Mysore.

****

I. The first question gives an almost accurate account of the existing situation.

a. It is true that a great majority of Bus owners are of small means and take no personal interest . Priority of applicati should not count much in the face of the above draw backs

b. It is also true that it is not possible"to work out a scientific time-table". Better public service and efficiency must receive preference where several services are plying. If every service is equally good the different owners ay be given " the popular times " by rotation. This will minimise the abbuses of buses starting in time and waiting outside the town limit to collect passengers.

c. The fixing of only the minimum and a maximum rates h given undue freedom and even to levy black-mail from passenge on urgent errand. Fixing of defenite rates as in the case o Railway tickets seems necessary. It may be that these ticke would be sold for ¾ or ½ prices by unscrupulous men to attra trafic. This may occur at the starting stations and in res of long journeys. To check this malpractice the number of services must be reduced.

(d.e.) Diffects of drivers and vehicles will be things of the past if the bus owners find the trade lucrative. To this en in view the chances of compitition must be lessened by li the number of permits strictly to the need on any particular line.

2. The theory of the survival of the fittest presupposes the ruin of many. In this case, the wholesale ruin is not in the interest of any local compensatory good but for stimula drain of Indian wealth to foreign lands which supply Motors and their accessories. A monopoly is also bad in as much as it kills the enterprise of many a man who has knack for

for the trade. Neither of these measures suit us who are yet in the infant stage of Industry.

3. Preference must, oofcourse, be given to the existing permit holders in making selections for any monopoly if it is indispensible. The monopolist must then be made to buy up the tools and plants of the closing concerns.

4. Tenders and lotteries result alike in the dissappointment of many and it is not dsirable to dispose of the concern by tender

5. The disadvantages underwhich we are now labouring are the outcome of too many services for every line. For instance, I6 services radiate from Hassan town as follows:-

I.	Hassan to	Saklaspur	6
2.	"	Chickmagalore	4
3.	"	Chennarayapatna	3
4.	"	Arkalgud	2
5.	"	Arsikere	I

T add to this three more through ones (i.e. (I) Mysore to Chickmagalore, (2) Bangalore to Hassan, (3) Mysore to Hassan) run across the District sweeping away some of the above local lines. The greater the ambition of a proprietor, the longer will he run and consequently the heavier will be the draining out of the Country's wealth. The Motor Kings, the Oil Kings, and others get not less than 80% of the bus owner's earnings. Some of them who have secured lines of vantage may get fat. But the passengers in general are getting poorer and enervated having contracted drive-habit. What though the hound gets big bone while it secures all flesh to the hunter? The number of services need reduction . This is possible only if the bus owner is made to confine his activities to his single District. He will then live and let others live. Instead of fatal rivals they will then become friends each seeking cooperation from the others. It is desirable to erect a Police outpost station and to put up a shed at the District borders or at a Village close by for the shelter of the passengers who connection bus. In our present state of helpless dependence Foreigners even for a bolt and nut it is suicidal to multiply

multiply services. The proposed restriction namely the Inter District Traffic will au tomatically reduce several services that ply across Hassan District. The competition and reckless driving will decreese and there by accidents will be minimised. Drivers and others who give room to accidents will be ~~tighter~~ in the tight grip of Law, if the offender belongs to the very District in which the accident occurs. Of the conduct and capacity of a driver the Local Authorities know more than outsiders. This will avoid much correspondence between the D.S.P's of two or more Districts. Strictly Inter District Trafic will also cure the existing anomaly (mentioned in question 14.) +7 +?

6. SPECIAL TRIPS. The benefit of these trips should be secured to the licence to runners on any particular road insisting on him to keep spare busesfor the purpose. Where the trip extends to m more than one district it is better to give connection to the nearest Railway Station.

7. Buses to and fro British India. Such buses should start at the Frontier (for reasons given in the reply to question 5.) Mysore Government may not seek any obligation from other Government for this purpose.

8. The cost of Running. The cost depends much on the goodness or otherwise of the machines and the roads. These being not all alike, the figures furnished by different men must needs be conf ing. I furnish below the cost incurrable by a new motor on a fairly good road, per mile:-

1. Interest	0	0	3
2. Depreciation	0	1	0
3. Repairs, Tyres &tubes	o	1	0
accessories	0	1	0
4 Petrol	0	2	0
5 Oil	0	0	6
6 Wages	0	1	3
7 Rent	0	0	3
8 Management	0	0	9
	0	8	0

9. Insurance against third party risk. This does not appear to be necessary. The accidents will be few and far between if [illegible]

Inter-District running is insisted upon. (Vide reply to question 5) They will be further minimised if the interval between the timings of the buses running on the same line is enhanced from one hour to two hours.

10. Roads less convienient to passengers. The love of passengers is greater towards their safe than towards the bus owners. The patriotic passengers will not grudge taking a less convenient road in the interest of the Railways of their own State.

In the case of Mysore K.R. Sagara line, there will be no competition at all if the Railway Department makes it convenient to put up a flag station beyond the big cutting behind the Sourthern bank of the Sagara. (Kowsika Station may be removed to the dam). The passengers will gladly pay one anna more from Belagola Station to the flag station instead of two annas to the buses. I am not conversant with the working of the lines from Bangalore.

11. Compitition of buses with the Railways. Compitition on short lengths of road will not effect the Railway much. As for long journeys as between Mysore and Bangalore, people generally think that Railway jpurney is safer. They will almost give up taking if the Railway Department gives them better and suitable times for reaching destinations. They don't like to end journeys in the dead of night. If flag stations are increased the Railway traffic will also increase. There will be no need for the levy of double cess on the buses to supress their activities. In fact many of the lines may be converted into feeders to the Railway if some sort of arrangements is made with the bus owners. For instance they may be authorised to issue passes to theur passengers to continue their journey on the Rails. The Railway Authorities may also sell tickets which will cover journeys by certain buses at the termination of a Railway line. For instance a passenger will be glad to have a ticket at Mysore or at Arskiere Road station to make a journey to Sakleshpur changing the train [illegible]

the bus at Hassan.

12. Reservation of Roads by Railway Department. This does not seem to be just. Without rdsorting to motor service, the Railway Department can attract motor passengers by some such arrangements as this; they must make it convenient for passengers to get down any where they like between two stations. In that case, a man who wants to alight, say, at Naganahalli or palahalli Railway crossing will buy a ticket for Paschimavahini though the journey is shorter. A compartment next to the guard's has to be t apart for such travellers. The train has to stop for a few seconds at the level crossing. The Guard has to collect the ticket. Any loss of time on this account can be made good at the rate of a few seconds for each station.

13. Taxation of Passenger Vehicles. The incident of Road Cess and Tolls is more appressive in Mysore than in other provinces. It has to be kept down to a figure equal to the lowest rate charged elsewhere.

14. Variations in policy in different Districts. Co-ordination between the licensing authority is essential. All irregularities cease if a single bus owner is not allowed to run in different Districts. The matter is dealt with at length in reply to question 5.

It is desirable to create a Road Board consisting of the following members:-

1. The Deputy Commissioner,
2. The D.S.P.
3. Executive Engineer,
4. The President of the District Board,
5. One Railway Officer (if available)
6. A Bus Proprietor,
7.

It will conduce to the up-keep of a road if its P.W. contract is given to any of the bus licensees of the particular road. In that case the road will receive constant care of the interested person. Ruts and pits will be closed up as and when they occur.

I5. Different charges. A consolidated rate will be advantageous to both the bus owners and the Government. It may be app tioned by book adjustment on the ratic of realisations during the past three years.

16, 17. Heavy Trafic. Lorries of more than three and one and a half tons should be prohibited from using the metalled and un-metalled roads respectively.

18. Taxation upon lorries. The tax may be fixed at Rs 180/- to Rs 720/- per year to be recovered in twelve monthly instalments. Lorries of more than three tons weight should be excluded from plying in the state, as proposed already.

19. Raising of tolls on lorries. Rs 3/- may be charged for lorries of more than one and a half ton capacity.

20. Lorries plying ofr hire. It is difficult to distinguish this from private ones. The driver of private lorries should be required to possess with him a note or a letter from the local authorities of his place.

21. Compitition of lorries with bus trafic. There must be a regulation prohibiting the carriage of more than four persons on lorries.

22. Lorries competitinn with Railway Goods Trafic. The public should not be deprived of the fecilities of lorries. They are afraid of pilferings and rough handlings of packages etc., in the Railways. They are often at the mercy of the porters and exacting carters at the Goods shed. The compitition will ofcourse cease if greater fecilities are given the public by the Railway Departme

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GENERAL.

The Committee is requested to make it convenient to visit each District Head quarters to study the local conditions peculiar to it.

In reply please refer to—
No. J2-1400-35.

Enc. 1.

OFFICE OF THE DEPUTY COMMISSIONER,
KADUR DISTRICT.

Chikmagalur, dated.....13th December 193 5.

FROM

M. Abdul Hukh, Esquire, B.A.,
Deputy Commissioner,
Kadur District.

To

M. Venkatesa Iyengar, Esquire, M.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
.....General.....*Department,*
BANGALORE.

SIR,

14 DEC. 1935

I have the honour to state that I generally agree with the rules now framed and published. My suggestions in respect of rules 8(i) and 8 (ii) are embodied in the enclosed statement.

I have the honour to be,

Sir,

Your most obedient servant,

Deputy Commissioner,
KADUR DISTRICT.

Suggestions.

Rule 8 (i). When the Motor vehicle plied for hire is either sol or transferred, the rules contemplated state that the owner loses the money paid by him towards the taxes, a that the permits are non-transferable. This restricti will operate as a great hardship on the Bus-owners and may be modified by recognising the right of transfer. The discretion however of allowing such transfers may delegated to the Licensing Authority who may be requir to use it very sparingly.

Rule 8 (ii) The recovery of a fee of Rs100/- from the legal heir on the death of a permit holder appears to be high and the fee may be reduced to Rs 25/-.

Deputy Commissioner,

13-12-1935. KADUR DISTRICT.

IMMEDIATE.

No. Jud. 208/3536

OFFICE OF THE DISTRICT MAGISTRATE,
SHIMOGA DISTRICT.

Dated Shimoga, 12th December, *193* 5
(Camp Hosanagar)

FROM

S. NARAYANA RAO, ESQ., M.A. (HONS.),
District Magistrate,
Shimoga District.

To

The General Secretary to Government
of Mysore, Bangalore.

SECRETARIAT
11 DEC. 1935

SIR,

With reference to your letter No: P. 3445-53/Legis.46-35 dated 27th November 1935 inviting reference to Government Notification No: P.3355 dated 20th November 1935 and requesting for my suggestions in respect of the draft rules regarding Public Service Motor Vehicles, I have the honour to state that I have no suggestions to offer in respect of the said draft rules.

I have the honour to be,

Sir,

Your most obedient servant,

S. Narayana Rao

District Magistrate.

3620
P 838

213

To

The Secretary to Government,

General Department,

BANGALORE.

Sir,

Subject: P.No.3355-Legis.46-35 dated 20-11-1935 Draft Rules under the Mysore Motor Vehicles Regulation of 1928 and Mysore Road Traffic and Taxes Regulation.

We, the owners of Motor Vehicles in Hassan District beg to submit herewith for kind and favourable consideration of the Government the suggestions and objections as in the appended list on the draft rules appearing in the Mysore Gezzette dated 21st November 1935.

In this connection we request to point out that the Motor Transport Committee was appointed to hold enquiries when the State Motor Bus Owners were faced with excessive Taxation in October 1932. The Committee have framed the Regulation; and/Rules, they have framed, which instead of helping the public in lessening the Taxation have only found their way to further systematise and also to practically drive out the short distance permit holders on whom the burden is the heaviest. We beg to commend this matter for the Government's benign consideration.

The suggestions and objections contained in the enclosure are made in the light of shere experience and consultation with the permit holders in the neighbouring British Territory.

We request the Government to consider our suggestions and objections in the best light, and modify the proposed rules accordingly.

We beg to remain,
S i r,
Your most obedient servants.

Hassan,
10th December 1935.

The S.R.T. Motor Service,

Sri Ranganatha Motor Service,

Sri Sakleswara Motor Service Ltd.,

H.P. Shakaniah

The Archalli Motor Service

A.G. Nagarajiah

The Hassan Motor Service

A.M. Abdul Kadir

The Star Motor Service

The Hassan Motor Service (Chickmaglu

H.Z. Mohamed James

The K & K Motor Service

K.V.A. Motor Service (Belur)

Anveralli Motor Service (Belur)

Sri Krishna Motor Service(Banavar)

A.S. Gowdiyappa.

Sri Nanjundeswara Motor Service

Sri Rajarajeswari Motor Service

S.A.R. Motor Service

Hr. Abdul Ahamed.

Shriff Motor Service.

K.S. Subbaraya Shetty & Bros

S. Subba Rao

Kadlikar & Bros, Mangalore

Kasturi Laxman Pai, Mangalore

K.V. Srinivasa Rao

K.R. Puttaswamiah, Hassan.

M.S. Nagarajiah

M.S. Nagarajiah, Hassan.

Suggestions and Objections to draft rulesNo.P.3355-Legis-46-35, dated, Bangalore, 20th November 1935, regarding Public Service Motor Vehicles.

-:C:-

No.	Rules No.	Suggestions and objections.
1.	8 (1)	Since the sale or loss of a bus means the lapse of the service and Road Taxes paid by the owner, the two things should be distinguished so as to remain independent of all taxes paid on the particular vehicle. The existing practice of permitting the transfers of permits by the Licensing Authority as in British India also, should be continued, as otherwise the investors will be losing heavily.
2.	8 (ii)	The recovery of a fee of Rs 100/- from the legal heirs on the death of a permit holder is not reasonable. And this does not prevail under the Laws of any other Government and therefore should be delated.
3.	11 (i) to (iii)	This is not advisable and practicable in these days of trade depression.
4.	13 (m)	The authority for a Police Constable to check the permits etc will give room to many hardships and may be omitted in lieu of sub-rule (n).
5.	30 (i)	Demanding the deposit of Rs 1,000/- for each service from the permit holder is not equitable, and does not prevail under the laws of any other Government and therefore be delated.
6.	30 (ii)	The spare vehicles insisted on by the Board should only be charged the Registration Fees. With regard the service Tax paid on the vehicles and their refunds for disuse in the middle of any quarter may be fixed as in force under the Madras Motor Vehicles regulation.
7.	36.	The grant of monopolies is another hard-hit on the present capitalists, while this will invite foreign enterprise, as such this should be omitted.
8.	43.	Proprietors and Owners when driving their own buses should be exempted from the operation of this rule.
9.	69 & 70	These rules should apply only to buses to be registered on and after 1-1-1936, and not the existing ones.
10.	71 c & d.	This is meaningless and/such it is unnecessary
11.	72	This is not necessary and as it is already provided in rulesfrom 61 to 67.
12.	78 to 86.	These rules should be applied only to buses registered on and after 1-1-1936.

13.	87	This should be applied to lorries to be registered on and after 1-1-1936.
14.	90 c & d.	This is meaningless and as such unnecessary.
15.	..	Restriction should be imposed in the rules on all buses and lorries coming from out-side the MysoreState, i.e., British Territory corresponding to those in British India against the state buses and lorries.
16.	..	Prosecutions and punishments for over-loading and over-speeding should be laid against the Drivers and Conductoers only and not against the Owners.

-:O:-

3/5/36 p 830

POLICE DEPARTMENT.

Tel. Address :
"POLICE"
PHONE No. 298

OFFICE OF THE
INSPECTOR-GENERAL OF POLICE IN MYSORE,

When replying please quote No. M.V. 791/35-36.

Dated Bangalore, the 14th December *1935*

16 DEC

FROM

F. A. HAMILTON, ESQ., C.I.E.,
Inspector-General of Police in Mysore,
Bangalore.

GENERAL DEPARTMENT 16 DEC. 1935

To

M. Venkatesa Iyengar, Esq., M.A.,
General Secretary to the Government of Mysore,
Bangalore.

SIR,

In regard to the bringing into force of the new Motor Vehicles Taxation Rules from 1-1-1936, I have the honor to bring to your kind notice that there is barely a fortnight within which every item of work in connection with the enforcement of the Rules has to be organised and the needs of working officers provided for. Half of this period is taken up by Christmas holidays.

2. All the Rules and instructions under the Regulation have not yet been fully published or issued. Some have been finally issued as rules and some as drafts for the purposes of eliciting opinion. There are apparently some more yet as for instance, foreign vehicles, refunds and exemptions, to be published. There has thus been no opportunity to view the entire rules as a whole and to guage their full implications and the burden that they cast upon the several agencies who have to work them.

3. I do not think that any one of the hundreds of licensing officers or the couple of hundreds of the Police executive that have to do their share of work have seen the Regulation or known the general frame work of the new Law. Copies of the Regulation and Rules have yet to be supplied to them. On the 11th inst. I have asked for the immediate supply of 350 sets of the Regulation and all rules issued and to be issued thereunder for supply to Police Officers. The Law being very complex on account of the different classes of taxes and the different kinds of vehicles covered by the rules and the intervention of the tolls, it has to be very carefully studied, discussed and digested before any one can be expected to deal with it. General instructions for the guidance of officers concerned never

to be issued bringing together all detached orders bearing on the work of each class of officers. A Press communique for the information of the general public setting forth the salient features of the new Rules and the rights and obligations of the motor owners and users thereunder and what is expected of them in regard to each class of vehicle, has to be prepared and published by Government in advance.

4. The Comptroller has to issue instructions regarding the opening of new heads of accounts in Treasuries, the subsidiary registers and records to be maintained in the treasuries. The various Forms and Registers needed under the Regulation as also those required for the purpose of correspondence and for reducing scriptoral work have to be printed and every officer dealing with the matter supplied.

5. The question of additional staff that may be needed both ministerial and executive have to be carefully worked out and provided for. All these presuppose a careful study and an intimate knowledge of the Rules which as I have remarked above are not yet available in a complete form. I believe it will not be possible to postpone the inauguration of the new Rules and they have to be brought into effect and worked as best as can be under the circumstances.

6. I would however, suggest that a meeting may be arranged of the several officers concerned with the working of the Rules at which the rules may be explained and discussed with a view to clarify matters and remove doubts and difficulties and generally to make them better understood. The Deputy Commissioner, the Municipal Commissioner, the District Superintendents of Police and the Treasury Officers in Bangalore, yourself and the Special Officer and myself and such other Officers as may be necessary might attend

I have the honor to be
Sir,
Your most obedient servant,

INSPECTOR GENERAL OF POLICE

3654 P 33

219

Tel. Address :—DEPCOM., Tumkur.

In reply please refer—
No. M.B. 35/35-36.
Enc. ---

Dist: Magistrate

OFFICE OF THE DEPUTY COMMISSIONER,
TUMKUR DISTRICT.

Dated Tumkur, the 13th December *193* 5.

FROM

T. ABDUL KHADIR, ESQ., B.A.,
District Magistrate,
~~Deputy Commissioner~~,
Tumkur District, TUMKUR.

GENERAL SECRETARY
16 DEC. 1935

M. Venkatesa Iyengar, Esq:, M.A.,
Secretary to Government of Mysore,
General Department, Bangalore.

SIR,

With reference to your letter No.P.3445-53/Legis 46-35- dated 27th November 1935 requesting for suggestions regarding the draft rules for Public Service Motor Vehicles, I have the honor to invite kind reference to this office No. M.B.35 of 35-36 dated 6-12-1935 wherein some suggestions have been made.

I have the honor to be,
sir,
Your most obedient servant,

For District Magistrate,
Tumkur District.

This refers to the suggestions of the Bus Inspector Tumkur.

AD. 13/12.

3748/35

No. Jz-160/35-36

OFFICE OF THE DEPUTY COMMISSIONER,
HASSAN DISTRICT.

220

Dated Hassan, the 18th December *1935*.

FROM

M. CHENNARAJ URS, ESQ., B.A., LL.B.,
Deputy Commissioner, Hassan District.

TO

M. VENKATESA Iyengar, Esquire, B.A.,
General Secretary to the Government
of Mysore, Bangalore.

GENERAL SECRETARIAT
20 DEC. 1935

SIR,

With reference to your letter No.P.3445-53 Legis.46-35 dated 27th November 1935, calling for my suggestions on the -- draft rules on Public Service Motor Vehicles (published in Govt Notification No.P.3355/Legis.46-35 dated 20th November 1935), I have the honour to state that the draft rules appear to be - suitable and may be adopted.

I have the honour to be,
Sir,
Your most obedient servant,

M. Chen'raj Urs 18/12/35
Deputy Commissioner,
Hassan District.

Final notification has since issued in this connection
BK.

This will be placed in the connected file

3/20/12/35

marginal heads

Be
A Statute Law

Rules for the licensing of

Public Service motor Vehicles carrying passengers for hire

1. Public Service Vehicles shall for the purposes of these rules be divided into the following classes:-

(a) Stage carriages, that is to say, motor vehicles carrying passengers for hire or reward at separate fares, stage by stage and stopping to pick up or set down passengers along the line of route, not being express carriages as hereinafter defined.

(b) Express carriages - that is to say motor vehicles carrying passengers for hire or reward at separate fares and for a journey ~~or journeys~~ or journeys from one or more points specified in advance to one or more common destination ~~distinction~~ so specified and not stopping to take up or set down passengers other than those paying the appropriate fares for the journeys in question.

c) Contract carriages - that is to say motor vehicles carrying passengers for hire or reward under a contract expressed or implied for the use of the vehicle as a whole at or for a fixed or agreed rate or sum.

Permits for public service motor vehicles

1. 2. No person shall drive nor shall any registered owner allow to be driven in any public road a motor vehicle as a stage or an express carriage or a contract carriage unless

(a) a permit has been issued by the authority prescribed under these rules in respect of such vehicle in form ... or form ... and form ... or Appendix as the case may be for the use of the vehicle as a vehicle

vehicle of that class, or

(b) a valid permit issued by some other ~~registering~~ authority in respect of such vehicle has been endorsed by the prescribed ~~registering~~ authority, and

(c) the vehicle complies in all respects with the registration certificate, the permit and the provisions of these rules,

Provided that no person shall be liable for a breach of this rule in respect of any public service vehicle which is being taken from one place to another for the purpose of registration or being repaired so long as it is not carrying passengers for hire or reward.

3. The permit referred to in (the foregoing rule) may be refused or if it has already been granted or endorsed, may at any time be suspended or revoked by the authority by whom it was so granted or endorsed if, having regard to the conduct of the ~~holder of the permit~~ or of the applicant to the permit or as the case may be or to the manner in which the vehicle is being used it appears to the authority that he is not a fit person to hold such a permit.

4. The authority empowered by these rules to grant permits (for such carriages) may attach to such permits additional special conditions as it may think fit and vary the said conditions from time to time at its discretion. These conditions shall be binding on the permit holders as though

that drivers should have the Second Hand-card - like Disc or token.

5. Insurance with Municipal Roads

though they were conditions of the Permit specified under these rules.

(The-3. P 2.

~~Motor Vehicles.~~

5. The Traffic Board shall, subject to the general direction and control of Government, be the central authority in all matte connected with the regulation, control and licensing of Public Service Motor Vehicles. The District Magistrates ~~of each District~~ shall be responsible for enforcing ~~the~~ in their jurisdiction regulations, the rules and instructions issued from time to time in this behalf.

6. (1) For the purposes of the licensing of stage carriage services, the Board shall grade all routes in the State in three classes hereinafter described as Class I, Class II and Class III roads respectively.

(2) In classifying the route in the manner described in the foregoing rule the Board shall be guided by the following considerations that is to say,

(a) The importance of the route as a main throug route common to two or more Districts or common to one District or more and a neighbouring British Indian Province,

(b) whether the routes are those running close and parallel to the Railway and whether ~~by~~ stage carriage and Public service lorries on these roads compete with Railways in respect of traffic,

(c) The importance and volume of traffic likely to be carried on each route

route,

(d) The necessity for the development of the route and for the provision of facilities for public service motor traffic on the route.

(3) (i) Routes which are common to two or more Districts or to one or more District and a neighbouring British Indian Province and those the traffic on which compete with Railways may be graded as Class I Routes,

(ii) Important routes local to a District or lying wholly within a District other than those forming part of Class I roads may be graded as Class II route

(iii) Routes on which there are no public service motor vehicles and which require to be developed may be graded as Class III routes

Short routes between 2 big cities?

Stage carriages.

7. The functions and duties of the Board in the case of all the routes - The Board shall in the case of all classes of routes prescribe the maximum number of motor bus, stage carriage services for which Permits may be issued in each route taking into account the volume of traffic on that route and the facilities required for that traffic. In fixing the number of services, the Board should be guided by considerations set forth in sub section 2 of Section 5 of the Motor Traffic and Taxes Regulation.

8. The Board shall, within the limits of the maxima and minima prescribed by the Government from time to time fix the fares

fares that are to be charged by the stage carriage and express carriage services for the carriage of passengers in each area.

9. (i) Subject to such exceptions as may be made by the Traffic Board from time to time permits for all public service vehicles may be granted by the District Magistrates in accordance with the conditions set forth below and in other parts of these rules.

(ii) Permit-holders for stage carriage ~~and~~ on class I routes shall be selected by the Board and their names intimated to the District Magistrate or Magistrates concerned. The letter intimating the selection of the permit-holder shall specify the time-table fixed for the running of the bus service, the special conditions, if any, to be attached to the ~~license~~ permit and the District Magistrate who shall issue the ~~license~~ permit for the service for the entire distance

(iii) Selection of persons for operating stage carriage services on Class II or Class III Roads will be made by the District Magistrates concerned subject to the number and frequency of such services prescribed for each road by the Board and the conditions and qualifications prescribed in these rules and ~~the regulation~~ the orders issued by the Board from time to time for the operations of such services subject to such further supplementary instructions as may be issued by the Board from time to time in this

behalf.

The time table for the running of these services on Class II and Class III Roads shall be fixed by the District Magistrates concerned taking into consideration the schedule of -- timings fixed for the services on Class I Roads.

(iv) The Board and the District Magistrate may arrange for the provision of adequate motor bus service on Class III Roads so that there may as far as possible be a minimu of one stage carriage service a day in each direction on all such roads which are fit for motor traffic. Permits for services on such roads may be granted to permit holders of stage carriage services on Class I and Class II roads to which the aforesaid Class III Roads act as direct feeders.

(v) The sanction of the Government shall be obtained if the provision of such services on any of Class III Roads involves, on accour of its unremunerative character, the payment of a subsidy or a reduction in the rate of service tax or of mileage cess.

10. Selection of Permit-holders:- In the selection of Permit-holders for -- operating stage carriage services the authority concerned should have regard to the following matters:-

(i) Persons selected must be of sufficient substance to manage the services -- efficiently. In those cases in which the

the licensing authorities considers it necessary they may insist on the permit-holders making a deposit not exceeding Rs 1000. These deposits may under the rules of the Board be forfeited when the licensee-holder fails to provide regular and efficient services or in cases of repeated breach of rules and conditions of ~~license~~ the permit.

(ii) Permit-holders must maintain, on a scale fixed by the Board, additional vehicles as spares for the running of relief services in cases of ~~brake~~ break-down of the vehicles used on the regular services or in other emergencies.

(iii) For services other than inter Provincial services, preference should be given to the subjects of this Province the domicile by birth or domicile.

(iv) Other things being equal, Preference should be given to the existing Permit-holders as against new-comers.

(v) Preference should be given to Permit-holders who have made an adequate provision for running sheds and for garage accommodation.

(vi) With regard to permit-holders for services of Class I and Class II roads Preference should be given to those who in consideration of this are required to provide services on unremunerative routes of Class roads subsidising profits from Class I and Class II roads.

(vii) In the provision of motor bus services on Class I and II

shall
the Board may, while fixing services with a view to the avoiding of wasteful and unnecessary competition, make some provision for maintaining healthy competition in respect of the efficiency of the service and the convenience provided to the passengers by such service.

Postal lines

11. *. The system of selection of permit-holder on Railway Competition roads

(1) The State Railway Department, may, at the discretion of the Board, be granted a permit for the exclusive provision and running of stage carriage and express carriage services on roads declared as Railway competition roads. The grant of the monopoly to the Railway Department on such roads shall be subject to the following conditions, that is to say

(i) the previous sanction of the Government must be obtained for the grant of the monopoly.

(ii) the monopoly shall be only in respect of Railway competition roads running parallel and close to the Railway. On roads which short-circuit the Railway route, the Railway Department need not be granted a monopoly but may be favourably considered in the selection of the permit-holders whenever the Department applies for a permit for providing stage carriage services on such roads.

(iii)

(iii) The stage carriage services provided by the Railways shall be subject to all the rules and regulations applicable to other such services.

(iv) The Railway Department shall provide on these routes the number of services with the frequency and to the schedule of timings prescribed by Board.

(v) The monopoly shall not apply in respect of the portions of such roads as form part of the route which other stage carriage and express carriage services have to traverse when plying between places lying outside the said Railway competition roads, or between a place on the Railway competition road and a place outside it or between two places situated on the Railway competition road but connected by a road other than the Railway competition road. Permits may be granted for services on such portions of competition roads, subject to such special conditions with regard to fares, picking up and setting down of passengers in the portions forming part of the railway competition road, as the Board may think fit to impose from time to time.

12 When on such roads the Railway Department is not granted the exclusive option of running stage carriage and express carriage services, permits for such services may be granted to others. It shall be a condition of such permits that they may not be renewed on expiry of the period for which

which the permits have been granted, if at that time it is considered necessary by the Board to grant a monopoly to the Railway Department.

13 The Board may attach to ~~licenses~~ permits granted in respect of services on such roads to persons other than the State Railway Department, such other conditions as they may think fit for securing that

(a) the fares shall not be unreasonable;

(b) where desirable in the public interest the fares shall be so fixed as to prevent wasteful competition with the railway along the route or any part thereof or in proximity thereto;

(c) the time table fixed for the stage carriage services may be such as to allow a reasonable interval of time between the timings of trains and between those of the stage carriage services and any other conditions as the Board may consider necessary to avoid unnecessary and wasteful competition.

14. Permit-holders for the provision of stage carriage and express carriage services ~~in~~ on all other ~~cases~~ roads may be selected by the prescribed authority ~~as~~ by a process of selection from amongst suitable applicants.

In ~~these~~ case cases in which permit holders have to be selected the authority empowered under these rules to issue permits shall

shall call for applicants by a notification in the Official Gazette,

Provided that it shall be competent for the Board to ~~dispense~~ dispense with this notification in any case it considers fit.

15 Every person desirous of obtaining a license under these rules shall present a written application to the competent authority. Applications to the Traffic Board shall be sent either through the District Magistrate of the District in which the applicant is carrying on the business or the District Magistrate having jurisdiction over any part of the route concerned.

16 Every such application shall contain particulars of the type or types of vehicles to be used, and of the service proposed to be operated and the Board may, for the purpose of such applications, prescribe a form of application for the entry of such other particulars as may in their opinion be required.

17. It shall be competent for the Board to grant a monopoly for the provision of stage carriage and express carriage services, on any route other than Railway competition roads referred to in rule ..11.... supra, subject to the following conditions, that is to say

(i) The previous sanction of the Government shall be obtained in each ca

(ii) The mode of selecting the person and the sum of money that is to be paid by him for the grant of monopoly, shall be as prescribed by the Government in the said order and may include selection by means of public auction or tender.

(iii) The period for which the monopoly is in force shall be as fixed by the Government in the order.

(iv) The monopoly given may be terminated at any time on a month's notice if the person holding the monopoly fails to act up to the conditions on which the monopoly is granted or fails to provide efficient and satisfactory service or for continued breach of rules or conditions prescribed or for any other cause or failure deemed sufficient by the Board.

Provided that the said monopoly shall not be revoked or suspended unless the Board are satisfied after giving the person concerned an opportunity of being heard that the permit should be revoked or suspended.

The decision of the Government in this matter and also with regard to the refund or otherwise of any portion of the sum paid for the monopoly shall be final.

(v) The holder of a monopoly shall provide stage carriage and express servi to the timings and frequency prescribed the Board and charge fares fixed by th Board from time to time. These were ~~he is also~~ ject to the rules and regulations a

to all such services generally, under these rules and other orders that may be issued from time to time.

18. Express Carriage Services.

(1) Permits for express carriage services for casual trips or during feasts, fairs and other such like special occasions of a duration not exceeding three days may be granted by the District Magistrates on all roads within the limits of their District.

(2) Permits for other then casual trips or during feasts, fairs and other such like special occasions lasting for more than three days shall be granted by the same authority in the same manner and subject to the same conditions as those prescribed under these rules for the grant of permits for Stage carriage services for the respective classes of roads.

(3) In the selection of permit holders for express carriage services, preference may be given to these who hold permits for providing stage carriage services on such routes

(4) The fares to be charged by express carriages shall be the same as those prescribed for Stage carriages on the route.

19 Permits for Motor Cabs.

(i) Permits for motor cabs shall entitle the license holder to use the vehicle as a contract carriage and not

a Stage carriage or an express carriage.

(ii) Permits for motor cabs shall be issued by the District Magistrate of the District in which the permit holder resides or in which the business on which the vehicle is used is carried on.

20 Validity of Permits.

(i) Permits granted for Stage carriages shall be valid on the route or routes or in the area specified in such permits.

(ii) Such permits shall be in force till the end of June next after the date of issue and thereafter they may be renewed for further periods of 12 months at a time, provided that the Service tax and mileage cess and the road tax payable as the case may be are paid as and when they fall due

Notwithstanding anything in the above rul it shall be competent to the Board to sanction the issue of permits for any period short of the period prescribed in cases it deems fit.

(iii) Permits for express carriage services shall be valid for the period and for the route or routes specified therein.

(iv) Permits for contract carriages shall be valid throughout the State, except in regard to those for which Short-time ~~licences~~ permits are granted, in which case they are valid in the area and for the period specified in such permits.

Appeals.

21. Any person who,

(a) being an applicant for the grant or variation of a license or permit is aggrieved by the decision of the licensing authority on the application or by any special condition attached to the permit or the license,

(b) being already the holder of a permit for the provision of Stage carriage services is aggrieved by the grant of additional licenses on the road for new Stage carriage services,

(c) being the holder of a license or permit is aggrieved by the revocation or suspension thereof

may appeal to the Appellate Commission constituted under these rules.

22. The Appeal should be preferred within one month from the date of the Order, provided that the Appellate Commission may in cases in which it considers fit relax the time limit.

23. Either the Chairman of the Board or any Committee of 3 members of the Board specially appointed by the Chairman for this purpose shall constitute the Appellate Commission for the purpose of hearing any appeal preferred under the foregoing rule.

24 The Chairman of the Board may make rules governing the proceedings of the Appellate

Commission. Such proceedings may provide that an appellant shall be entitled to be heard in person in support of his appeal or by counsel, Solicitor or agent.

25. The Appellate Commission, when it consists of the Committee appointed by the Chairman, shall not exercise its jurisdiction unless by the full number of its members. The decision of the Appellate Commission in such cases shall be by majority.

26. The decision of the Appellate Commission shall be final.

Statement showing the existing functions and authority exercising the same at present and what it is proposed to be when the new system comes into force.

Sl. No.	Function.	Authority exercising at present.	Proposed change when new Regulation comes into force.	Remarks.
1.	Registration.	Inspector-General of Police, Bangalore.	No change.	
2.	Driving Licenses.	District Magistrate, Superintendents of Police.	-Do-	
3.	Motor Bus services - fixing the number for each route. (within the district).	District Magistrate with a Committee, subject to approval of Government.	Traffic Board with the advice of District Traffic Advisory Committee.	
4.	Inter-District services.	The two District Magistrates concerned.	-Do-	
5.	Timings of services.	District Magistrates	District Magistrates in case of services within the District. Traffic Board in case of through services.	
6.	Method of selection	Government.	Traffic Board subject to approval of Government in certain cases.	
7.	Fares	Prescribed by Government	Traffic Board -do-	
8.	G & H Permits for bus services. Issue of:-	Each District Magistrate within his jurisdiction.	No change with regard to services within each District. In regard to through services, the license ~~to~~ may be granted by one District Magistrate current throughout the route.	

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9.	Selection of Licensees.	District Magistrates subject to appeal to Government.	(a) Selection of licensees for through services to be done by the Board. (Appeal to Government) (b) For local services, District Magistrates with appeal to Board.
10.	Enforcement of rules and conditions of license; checking etc.	District Magistrates & Police, subject to supervision & control	No change. except General supervision by the Board The executive staff of the Board at Headquarters - Additional. although Any District Inspectors if ~~authorised etc.~~, to be under District Magistrates.
11.	Enquiries into accidents.	District Magistrates and Police.	No change. The Board may hold additional enquiries in any case considered necessary. This does not supercede regular enquiry.
12.	Periodical Inspection.	District Magistrate and officer appointed by him.	District Magistrate and any officer appointed by Board.
13.	Permits for lorries.	Not required at present.	District Magistrates in case of services within the District or within two districts. Services for more than two to be referred to Traffic Board.
14.	Permits for motor cabs.	District Magistrict for his District.	District Magistrate of one District may issue, current in all others.
15.	Vehicle Taxes (Local)	Municipalities	Revenue authorities in Talukas.
16.	Mileage cess	District Magistrate for portions in his District.	No change, except that one District Magistrate may collect for the entire distance in case of through services.

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17.	Service Tax	Not levied at present.	District Magistrate at the time of issue of permit.	
18.	Road tax	Registration fees at present on private lorries by the Inspector General of Police. On public service lorries by District Magistrates.	Revenue Authorities in each District. District Magistrate at the time of issue of license.	
19.	Composition fee for tolls.	Not in force at present.	Revenue authorities. Select toll-gates.?	

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Rules.

Insurance against third party risks in respect of public service motor vehicles:-

7 (1) Subject to the provision of rule 3 below, no permit shall be issued in respect of any public motor service vehicle unless the registered owner--

(a) has taken out an insurance policy to cover risks to passengers and third parties arising out of the use of the said public service motor vehicle for the duration of the permit, and

(b) produces a receipt for the premium paid in respect of such policy to an insurance company approved by the Government in this behalf by notification in the official Gazette.

(2) No person shall drive nor shall any registered owner allow to be driven in any public place any public service vehicle in respect of which the insurance policy aforesaid shall for any cause have ceased to be in force.

2. No permit issued under these rules and no insurance policy specified in Rule (1) shall be transferred from one registered owner to another save with the approval of the authority granting the permit which shall be endorsed upon the said permit and insurance policy.

3. The Government may by an order in this behalf notified in the official Gazette exempt from the operation of these rules ~~any public service motor vehicle~~ or any class of public service motor vehicles or any such vehicles or class of vehicles used in any specified area.

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Concise statement of policy to serve the co-ordinated development of Road & Rail Transport as adopted by the Transport Advisory Council at its Meetings on the 7th, 8th & 9th January 1935.

Part II - The Control of Traffic.

1. For the double purpose of promoting the public safety and convenience and of placing competition between road and rail on an equal footing, the following measures should be adopted in regard to motor buses:-

(a) a reasonable standard of maintenance of vehicles;

(b) the medical inspection of drivers;

[illegible] party risks; and

(d) the adequate inspection and enforcement of regulations.

(In the case of (c) the Punjab, the Central Provinces and Assam representatives dissented).

2. The number of motor buses should be restricted so as to avoid wasteful competition.

In order to secure this end:-

(a) motor buses or services of motor buses should be licensed for a specified route or specified routes only; and

(b) in determining whether a license should be granted or not, regard should be had to the following four tests, namely:-

(i) the extent to which the needs of the proposed routes are already served;

(ii) the extent to which the proposed service is desirable in the public interest;

(iii) the traffic needs of the area as a whole, including the need to link up routes with railways and other routes; and

(iv) the suitability of the routes for the proposed traffic.

(The Punjab and the Central Provinces representatives disented. The Punjab representative, in dissenting, wished it to be placed on record that his Government had not decided finally and for all time against a policy of restriction; but they were not prepared to commit themselves to such a policy without further study of the working and economics of the road transport system, which might be seriously damaged by the adoption of hastily conceived measures. The Punjab representative desired further to stress the complications and expense involved in the operation of any system of restriction).

3. It may be expedient in order that fuller advantage may be taken of a particular road:-

(a) to grant a monopoly of motor bus traffic for a limited period on that road to a well organised service; and

(b) to arrange for the issuing of through tickets for journeys partly by such a service and partly by a railway fed by it.

(The Central Provinces representative dissented. The Punjab representative dissented explaining that his Government were not prepared to go beyond their present policy which allows monopolies only on roads controlled by rural local bodies and for the attainment of certain specified objects only. The United Provinces representative considers that the recommendation should apply feeder roads only).

4/1917

Copy of letter No. C. 48 dated the 21st May 1935 from the Secretary to the Government of India, Department of Industries & Labour, (P.W. Branch) to all local Governments (except Burma).

TRANSPORT ADVISORY COUNCIL.

(c) Part II of the concise statement of policy:-

The control of traffic.

I am directed to address you regarding Part II of the concise statement of policy formulated by the Transport Advisory Council, that is, measures for the control of motor traffic. This part is divided into three articles. In pursuance of rule 2 of the Rules defining the functions, constitution and procedure of the Transport Advisory Council, the Government of India have ratified all these articles and have informed the Secretary to the Council accordingly.

2. The first article was accepted by all members with the exception of three who dissented in respect of one item, that is compulsory insurance against passenger and third party risks. A reference is invited, in this connection, to certain information appended hereto and furnished by the Government of Bombay in respect of the present cost of insurance of this nature in and outside the City of Bombay. The Government of India believe that the cost as shown therein is less than was generally anticipated. They also believe that certain of the dissentients were influenced by the possibility that insurance might be difficult to enforce and unduly expensive in the case of immature services in less developed areas. They suggest, however, that the possibility that insurance may not always be possible or desirable does not vitiate the general principle and they trust that local Governments will be able to ratify recommendations (a) to (d) of this article without substantial reservation.

3. The recommendations contained in the second article, which was adopted with only two dissentients, are possibly the most important of those reached by the Council. The main point at issue is whether motor buses should be licensed for specific routes in accordance with the requirements of those routes, or whether they should be licensed for large areas and without precise regard to the desirability of any particular service. The Government of India suggest that the number buses licensed to ply and to wear out the public roads should be

be controlled with proper regard to public requirements to perform some specified minimum service. These objects cannot be achieved unless licenses apply to specified routes or areas. The Government of India trust therefore that all local Governments will be able to ratify this recommendation.

4. The third article suggests the grant of monopolies and the arrangement of through booking with railways. In this case there were two dissentient members, but a third member considered that the system should apply to feeder roads only. The Government of India would point out that the recommendation is merely a suggestion that a certain course of action may be expedient in certain cases; that it seems to be unnecessary at this stage to attempt to define or qualify that statement by specifying what those cases may be; and that if the principle of limitation of number of licenses for any route is accepted, the grant of a monopoly will involve merely the issuing of licenses for any route to one concern. They also observe that the system, with which experiments have been made in certain province, of combining a monopoly of a bus service with liability to maintain a road is not a necessary concomitant. They believe that the experience of other industries and other countries lends weight to their view that, in order to stimulate the development of services to outlying villages and in areas which offer only light and intermittent traffic, protection from haphazard competition is desirable; and they trust that local Governments will be able to ratify this recommendation.

Extract from letter No. 7892/27-W dated the 25th September 1934 from the Secretary to the Government of Bombay, Public Works Department.

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2. As regards the scales of premia charged by insurance companies in the case of the ordinary 20-seater rural bus, I am to state that in Bombay City, the rates for third party risks in the case of a bus insured up to Rs 15,000 vary from Rs 90/- to Rs 100/- and for passengers' risks limited to Rs 1,500/- for any one passenger and Rs 6,000/- for any one accident, the rate is Rs 60/- per annum. Outside Bombay City excluding Sind, the rates are not uniform. For third party risks, they vary from Rs 90/- for a risk limited to Rs 15,000/- to Rs 115/- for unlimited risk, while for passengers' risks, (limited to Rs 1,500/- for any one passenger and Rs 6,000/ for any one accident), the usual rate is Rs 3/- per passenger per annum or Rs 60/- per annum for a 20-seater bus.